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FEBRUARY 2004



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BUSH CAMPAIGN**

STRANGLEHOLD

The right-wing push for a one-party state
ROBERT KUTTNER

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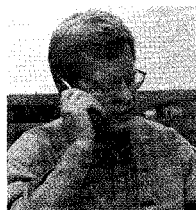
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THE AMERICAN PROSPECT



"Baucus not only gave the GOP his vote, but his support for the tax cut effectively handed the White House the staff and other committee resources under his control." PAGE 11

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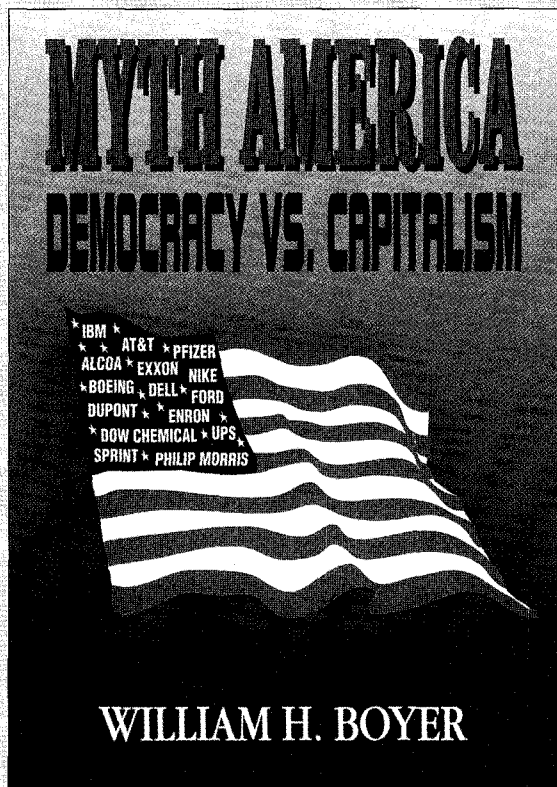
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The Republican Lock

The 2004 election is really only about one question: whether the Republican Party will enjoy thorough and unchecked power in all branches of the federal government. Despite the virtually even split in the American electorate, conservatives have every

reason to expect that November will bring them total political control.

Four years ago, America had what I described in these pages as a "parliamentary election." So close was the political balance that either party had the chance to take the legislative and executive branches at the same time. And because of the surpluses built up during the preceding years of divided government, the winning party would come into office with the resources to carry out an ambitious program. It was a moment of rare historic opportunity—and the Republicans seized it. They won the House, Senate and presidency, each by a hair, and immediately enacted a radical program of tax cuts.

In retrospect, 2000 was also a tipping-point election. Once in power, the Republicans were able to change American politics decisively in their own favor. Shrewdly managed, power begets power—and the Republicans have been nothing if not shrewd in using power to entrench themselves. Many business interests that used to divide their contributions between the parties are now wholly invested in the

Republican Party. Control of both domestic and foreign policy has allowed the party to choose initiatives to build up support at its base and appeal to new groups. September 11, like other national crises, might have worked to the political advantage of any president, but it peculiarly benefited George W. Bush by providing him with the overall rationale for his administration and its national-security policies.

Nonetheless, public-opinion polls continue to show Americans evenly divided between Republicans and Democrats. Pollster Stanley Greenberg reports that in 15 national surveys he conducted (with a total of 15,045 voters) during the year and a half after September 11, 46 percent favored the Democrats, 46 percent the Republicans. A recent Gallup study, based on 40,000 voters, finds 45.2 percent aligned with the Democrats, 45.5 percent with the Republicans.

But power in America today does not reflect the close balance of public opinion. Republican control of the House is absolute, and control of the Senate is nearly as effective. Unlike 2000, this year there is no serious chance that Democrats will retake control of Congress. Redistricting,

notably in Texas, has put the House out of reach, and the retirement of five southern Democrats from the Senate makes any Democratic gains unlikely. Furthermore, as Robert Kuttner argues in this issue [see "America as a One-Party State," page 18], the Republicans have created so tight a system of financial and political control that it will take little short of a national upheaval to oust them from Congress.

The result is an asymmetry in political expectations this year. Conservatives can expect that if Bush is re-elected, Republicans will continue to pursue a sharply ideological agenda at home and abroad. Moreover, Bush will almost certainly get the opportunity that he has missed so far to make Supreme Court appointments and consolidate the conservative hold on the judiciary.

Objectively, the chances of a Democrat winning the presidency are not very high. Massive deficits and extremely low interest rates are giving the economy (and the stock market) an adrenaline rush that should last through the year. Iraq will probably remain stable enough to be painted a success. The one hope Democrats have is that voters will

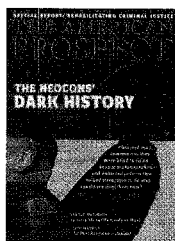
resist the sheer radicalism of the Bush presidency.

But if a Democrat does win, he will face huge deficits and a Republican Congress unwilling to repeal the Bush tax cuts. Where a Democratic president would immediately matter is in the conduct of war and peace, protection of civil liberties, separation of church and state, environmental regulation, and judicial nominations that would likely affect such key concerns as reproductive freedom and affirmative action. A Democratic president would likely block new moves to privatize Medicare and Social Security and to shift taxes away from rich.

These are scarcely small matters, but political realities will bar any Democrat from launching major progressive initiatives. For Democrats, the limited victory achievable this year would be chiefly defensive: checking the radical agenda that Republicans are pursuing. That is what the 2004 election is about. A time will come when liberal policies are back on the table, but not until Democrats can find a way to break the Republican lock—or history blows it open for them.

—PAUL STARR

**Shrewdly managed,
power begets power,
and Republicans have
been nothing if not
shrewd about power.**



"Bush's way with words is a symptom of his well-documented disrespect for truth. The 'truth' is what will benefit him; words are merely tools to attain his ends."

—JONATHAN J. MARGOLIS, Brookline, MA

Correspondence

Get Onboard

I'D LIKE TO THANK MICHAEL Tomasky for the great piece "Is It Time to Believe?" [January 2004]. He really crystallized some thoughts I have been having lately about my inability to understand the Democratic Party.

I am so sick of Washington Democrats griping, whining and doing everything possible to pull the carpet out from under Howard Dean. My husband and I will never be swayed away from him; if the other Democrats continue to put him down, we—and I am sure all the other Dean supporters—will run them over on our way to the polling booths.

The Democratic Party needs to get onboard or get the hell out of the way!

MADDIE GAVEL-BRIGGS
Via e-mail

Using Fear

GERSHOM GORENBERG'S otherwise excellent piece ["The Terror Trap," January] stops short of an obvious and crucial point when the author suggests that Ariel Sharon is pursuing an overly aggressive policy against terrorism because he somehow doesn't understand that doing so perpetuates the cycle of violence between Israel and the Palestinians. Nonsense.

Sharon needs the fear and anger caused by terror-

ism to maintain support for his hard-line policies. Gorenberg fails to mention that Sharon provoked the current intifada by going to the Temple Mount under armed guard. Israel has, on several occasions, made incursions into the territories just as Hamas was on the verge of agreeing to a cease-fire.

Intellectuals like Gorenberg should have the courage to state the obvious: Sharon deliberately provokes terrorist attacks against his own people in order to advance his own political agenda. Until they do, little progress will be made toward peace in the Middle East.

MICHAEL ALTERMAN
San Francisco, CA

Activists, Eh?

IN "PHOENIX RISING" [January], Robert Dreyfuss reports on the Bush administration's secret plan to create a "revenge-minded" Iraqi paramilitary unity and compares the plan to "Israel's official policy of targeted murders of Palestinian activists."

Activists march in peaceful demonstrations. Activists join political organizations and participate in get-out-the-vote drives. Activists write letters to editors.

Terrorists invade civilian homes and murder women and children. Terrorists

dispatch suicide bombers to blow up buses civilians ride and cafés where they congregate.

As Gershom Gorenberg noted in the same issue ["The Terror Trap"], Israel's policy may be counterproductive but it is not aimed at murdering "activists." Gorenberg writes, "Palestinian moderates put high hopes on then-Israeli Prime Minister Ehud Barak and were frustrated by delays in achieving independence." Who caused the delays?

Yasir Arafat was offered approximately 96 percent of West Bank territory, as well as a capital in East Jerusalem and sovereignty over the Temple Mount—an offer he refused. Arafat made no counteroffer. He simply walked out.

LEONARD BOASBERG
Wayne, PA

He's W., Not Webster

PAUL STARR'S OTHERWISE perceptive critique of the president's speech on freedom and democracy in the Middle East ["The President's New Crusade," December 2003] makes the error of assuming that George W. Bush uses those words the way that most of us do. But Bush's history shows that he employs words in ways that will benefit him, and feels little if any limitation from dic-

tionary definitions.

As Starr notes, democratic governments in Arab countries would probably be anti-American. Would the administration permit such a government to emerge in Iraq? The answer is undoubtedly "no." To Bush, "democratic" means a government that is favorable to the United States.

Bush's way with words is a symptom of his well-documented disrespect for truth. The "truth" is what will benefit him; words are merely tools to attain his ends. When the rest of us make the error of assuming that he means what he says, we play into his hands.

JONATHAN J. MARGOLIS
Brookline, MA

Blind Faith

IN JOHN PATRICK DIGGINS' superb assessment of the neoconservatives' self-congratulation for the fall of communism ["The Neocons' Dark History," December], the author notes their inflexible determination that totalitarianism must always be forcefully resisted because—as Jeanne Kirkpatrick asserted in *Commentary* magazine—totalitarianism is irreversible. This view led *Commentary*, its former editor Norman Podhoretz and his intellectual circle to embrace Islamic fundamentalism in Afghanistan as a bulwark

against communism. They thus failed to perceive the consequences of arming the mujahideen.

But Diggins fails to note that a crucial reason why *Commentary's* editors and writers advocated such support is that their own conservative religious faith blinds them to the extent of religious extremism's dangers. The same worrisome blindness characterizes the Bush administration and its congressional supporters on the religious right, but the reason for their misperception of religious fundamentalism is a handicap that no one dares call by name.

DR. LAWRENCE ISRAEL
BONCHEK
Lancaster, PA

Of God and Democrats

ALTHOUGH I SELDOM DISAGREE with Robert Reich, whom I consistently look forward to reading, his article in the December issue ["The Religious Wars"], though basically correct, is off the mark politically. What the Democratic Party has been suffering from since the 1960s is a surfeit of vociferous special interests. They were a natural outgrowth of the counter-cultural upheaval of that period, aided and greatly abetted by the anti-Vietnam War movement.

Headquartered mainly in

urban centers, the media has added its support to these special interests only to be flabbergasted by the national reaction at election time. Bill Clinton's first election victory, for example, was almost an aberration, even with help from the "economy, stupid" and, to a great extent, Ross Perot.

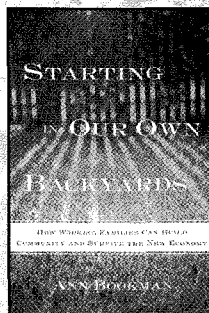
The Democrats' opposition, as Reich notes, has been inflamed to a great degree by the reaction of conservative Christians, and not just evangelicals. There is a vast population outside of urban centers that is not attuned to the desires of gays and women's reproductive rights. If it hopes to win more than primary elections, the Democratic Party must accommodate this population—and the situation will only be exacerbated by Reich's "religious wars."

W.H. RIDDELL
Tampa, FL

Note to Readers: We have received letters regarding the advertisement on page 32 of our January issue. We apologize for not marking that page as advertising material and any resulting confusion.

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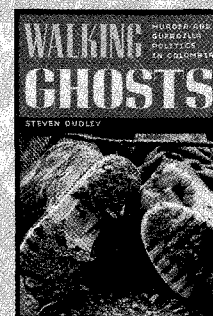
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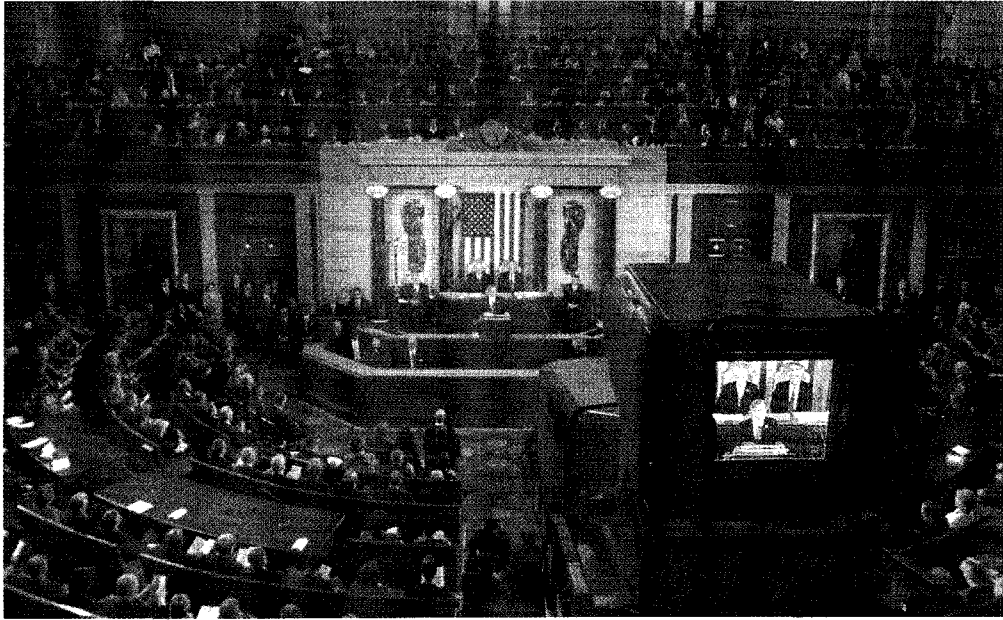
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Devil in the



Out-of-Joint Session: Will the media look beyond the feel-good rhetoric of this year's State of the Union address?

Old Wine, GOP Bottle

IT'S COMMON THAT election-year State of the Union addresses meet two basic criteria. First, they must have wrapped inside them a goody bag or two (or three), which quietly toss a few billion dollars toward some segment of the economy that has been, as it's sometimes euphemistically put, "underperforming." The first President Bush did this in 1992, when he laid out a plan to inject a quick \$20 billion into various economic sectors that were lagging about as badly as his poll numbers at the time.

The second criterion is a

greater imperative: An election-year SOTU, as insiders call it, must also trot out a Big Theme. Ideally, the BT shows another side of the chief executive—it has to be ideologically "fresh" and "interesting" and, most of all, it must emphasize "vision." On this score, the second Bush White House offers up the idea of the "ownership society," about which you'll be hearing quite a lot this month.

The phrase does what all good political phrasemaking needs to do: It appropriates a notion that is both time-honored and feel-goodish

and asserts it as if the president had invented it himself (as if any politician would propound "a society where we all rent a bunch of stuff"). It's not hard to imagine, given the state of the media today, that the phrase will be bandied about on the cable shows and approved of with general harrumphs all around the table, and that will be the end of it.

It shouldn't be. The Bush plan purports to address the problem of savings in society, with an eye toward the reality that most Americans no longer stay with one em-

ployer and thus need new ways to save for the future. It calls for Lifetime Savings Accounts (LSAs) and Retirement Savings Accounts (RSAs) in which individuals can invest up to \$15,000 a year, couples \$30,000.

But don't we already have those new ways that recognize the new reality? They're called 401(k)s. Under the Bush plan, people would have to cash out their 401(k)s to sign up. There would be tax advantages in the short term for individuals, but inevitably there would also arise the flip side of tax savings: lost federal revenue, to the tune of up to \$4 billion nine years from now, according to the Congressional Joint Committee on Taxation.

In addition, the RSAs serve an ideological double duty. According to the journal *Tax Notes*, one Republican fiscal watchdog said at a forum last year that from the day the RSAs become law, "[W]e'll have privatized Social Security accounts in five years."

We might counter that it's tough for people to save when their wages are going down. According to numbers from the U.S. Conference of Mayors, the average wage of new jobs created during the 2004–05 period is forecast to be \$35,855, significantly lower than the \$43,629 average wage of

Details

"Our greatest risk is a lack of leadership, a lack of honesty and a complete lack of consciousness."

—An apparently conscious **MADONNA**, endorsing Wesley Clark

those jobs lost between 2001–03. But people in that income category aren't quite the people the Bushies have in mind.

—MICHAEL TOMASKY

Who's Nit Pickler-ing?

AN ASSOCIATED PRESS reporter took a look at a recent Democratic debate in a Dec. 10 story and concluded that Democrats "sometimes leave out the facts" in their critiques of the Bush administration. For example, "[S]everal of the nine candidates criticized the tax cuts George W. Bush pushed through Congress. But none mentioned that Federal Reserve Chairman Alan Greenspan ... has cited those cuts as a reason for the recent economic growth." Shocking! Sources indicate that the candidates also failed to mention the Tuesday evening chicken wings special at Lucky Bar and my little brother's late guinea pig, creatively named Guinea.

Welcome to the exciting world of nit "pickler-ing," a label devised by the popular liberal blogger Atrios to honor AP campaign reporter Nedra Pickler's invention of a new standard for honesty whereby a Democrat is lying every time his comments

neglect to include literally the *whole* truth, whether or not the overlooked fact actually contradicts the claim in question.

Pickler also took John Kerry to task for telling the story of a New Hampshire couple whose water supply was rendered unsafe for drinking or showering due to the presence of a gasoline additive, MTBE, without noting that they now, in fact, had potable water from an alternate source. Was Kerry remiss? Certainly no more so than Pickler, who failed to mention that the senator's remarks came up as he was discussing the Bush administration's efforts to shield manufacturers of the toxic substance from lawsuits (MTBE has a propensity for poisoning groundwater).

Pickler struck again on Dec. 13, charging that "when he criticizes Bush's links to [Ken] Lay, [Howard] Dean never mentions that Enron's mismanagement was not a result of the president's tax-cut package." Similarly, Dean never mentions that the No Child Left Behind (NCLB) Act was not responsible for the Iraq War. Apparently he's in the grips of a theory holding that some issues are unrelated. Fortunately, Pickler is around to correct his thinking.

After a brief hiatus, Pickler returned with a

Jan. 4 article. In a debate, Dean had made a perfectly true statement: "I opposed the Iraq War; with the exception of Dennis [Kucinich] and Carol [Moseley Braun], everyone else supported it" (anti-war candidates Wesley Clark and Al Sharpton were not present). Pickler rendered the quote: "I opposed the Iraq War when everybody else up here was for

it." After howls of protest from Dean-friendly bloggers, the AP ran a correction noting the error. But, to apply the Pickler method myself, the correction failed to note the wider critique of her campaign '04 coverage.

Jack Stokes of AP media relations says the purpose of such stories is to "add some context" rather than criticize candidates, but he

WHILE YOU WERE SLEEPING



There are approximately 300,000 child soldiers involved in civil conflicts around the world. They tote AK-47s, spy on the enemy and fight in the trenches. If they manage to leave the military, they face scant opportunities in civilian life. Luckily, U.S. Labor Secretary Elaine Chao has taken an interest in their plight. She's overseeing a \$13 million global initiative to help rehabilitate former child soldiers. In December, she spent six days in the Democratic Republic of the Congo, Benin and Ghana, where some of the programs are just getting started.

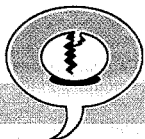
Former child soldiers in all parts of the world thank her—except, that is, for the ones detained at Guantanamo Bay, Cuba. Three children, ranging in age from 13 to 15, are being held there after being picked up by U.S. forces in a country Defense Department officials won't name (child advocates say it's Afghanistan).

"They are considered enemy combatants," explains Lt. Cmdr. Barbara Burfeind, a Defense Department spokeswoman.

Today they're no longer considered a threat, not by Burfeind or anybody else. But they will stay until arrangements have been made for their release. Not surprisingly, it's taking a long time. (When I first spoke with a Defense Department spokesman about the children, he said they were going to be released, hopefully soon. That was May 2003.) In the meantime, the young prisoners are kept in a facility separate from the adults; the children's building is the one "with no razor wire," explains Lt. Col. Pamela Hart, a Joint Task Force Guantanamo spokeswoman. They take classes, studying geometry, algebra and biology, and enjoy occasional walks while they wait for the day when they can go home.

—Tara McKelvey

BRAVE NEW WORDS



ALMANAC Terrorism handbook.

SAFE The United States—now that Saddam Hussein is in custody. Ignore the fact that the terrorism alert has risen to “orange” and that flights have been canceled left and right. Also, American beef, according to Agriculture Secretary Ann Veneman.

CRAZY The president’s mission-to-Mars scheme, according to an unnamed administration official.

SPENDING RESTRAINT Record-high corporate subsidies—offset by cuts to programs benefiting the poor.

never mentioned that pointing out dishonesty where none exists is a bit, well, dishonest.

—MATTHEW YGLESIAS

Soft Bigotry

SUSAN B. NEUMAN, FORMER assistant secretary for elementary and secondary education, quietly resigned her post last year after less than 18 months. She won’t say exactly why she left—at least not to us, anyway. But she is speaking out about the serious shortcomings of NCLB.

In *Phi Delta Kappan*, an education journal, Neuman criticizes the president’s landmark education reform for leaving cash-strapped states ill-equipped to meet tough new standards. Many school officials say it’s like an unfunded mandate. “Unfortunately,” Neuman writes, “at a time when the public is being asked to challenge the ‘soft bigotry of low expectations,’ schools are struggling to hold on to hot breakfasts, decent bathrooms, and writing paper for their students. ... The rhetoric of higher standards and

achievement may be appealing, but the reality is not.”

These are brave words. Indeed, the soft bigotry of low expectations is Bush’s own phrase; and without mentioning him by name, Neuman is exposing its utter hollowness. Education Secretary Rod Paige recently likened naysayers to segregationists who fought *Brown v. Board of Education* in 1954. A professor of education with 30 years of experience in child literacy, Neuman was one of the few academics in the circle of policy-makers who crafted the NCLB legislation—and tried to make it work. Before arriving in Washington, she directed the Center for the Improvement of Early Reading Achievement at the University of Michigan. She is a reading expert and has a keen research interest in early-childhood education for low-income children. The initial promise of sweeping education reform targeted at disadvantaged students held great appeal for her.

But then it came time to implement the reform. As an academic, she had refined ideas about holding schools completely account-

able for kids’ failure on standardized tests. She’d spent years in inner-city schools, researching the best methods for teaching low-income children how to read. She understood that real gains in achievement could not be made without significant investment in schools, particularly for very young children.

Paige, by contrast, evidently learned in Houston that fudging numbers to produce the appearance of improvements was better politics than real commitment to better education.

Today Neuman is back in Ann Arbor. And what about NCLB? “I would hope,” she said, “that those who are in charge of implementation at this point ensure that the purpose of the law is being served: to leave no child behind ... I’m hopeful, but at the same time, I’m watching carefully.”

One hopes the American people are, too.

—AYELISH MCGARVEY

Perle’s Wisdom

THE NEXT WAR OF WORDS has begun. In their new book, *An End to Evil: How to Win the War on Terror*, David Frum and Richard Perle ramp up the rhetoric against radical Islam far more than their colleagues still in power ever could. Frum, you may recall, was the former Bush speechwriter responsible for the phrase “axis of evil” (or “axis of,” as it later turned out) and Perle the torchbearer for the invasion of Iraq. Now, it seems, they’re ready for round three. Their premise: that “[t]here is no middle

way for Americans” in the war on terrorism. “It is victory or holocaust.” Predicting that “this evil” may kill “on a genocidal scale” and comparing radical Islam to both communism and Nazism, the dynamic duo argue for just about the most aggressive foreign policy that’s been suggested on this soil. Among the targets of their saber rattling:

- North Korea, which must stop its nuclear program or face “decisive action” by the United States, including a “comprehensive air and naval blockade.”

- Syria, which must stop aiding terrorists.

- Libya, which “should be regarded and treated as what it is: an implacably hostile regime.”

Frum and Perle do also argue for less, well, interventionist approaches, including diplomatic and public-relations efforts abroad and a national identity card at home. But in case there’s any question about where their strategy is heading, they write: “National sovereignty is an obligation as well as an entitlement. A government that will not perform the role of a government”—in this case, stopping terrorism—“forfeits the rights of a government.”

So what does the administration have to say about the Bush doctrine on steroids?

The White House didn’t return a call for comment. But a Defense Department spokesman said he hadn’t seen the book, and a State Department official, citing its recent publication, said he “doubt[s] that anyone has read it.”

Would that we were all so lucky.

—SARAH BLUSTAIN

FOUR MORE YEARS

A MESSAGE FROM THE COMMITTEE TO RE-INSTALL THE PRESIDENT

AMERICANS MUST DECIDE: CAN DEMOCRATS BE TRUSTED TO TAKE NATIONAL SECURITY **SERIOUSLY**? WATCH THESE CELEBRITY IMPERSONATORS POSING AS LEADING DEMOCRATS AND DRAW YOUR OWN CONCLUSIONS!

MAYBE IF WE HAND OUT LOLLIPOPS AND ICE CREAM EVERYONE WILL LIKE US BETTER!

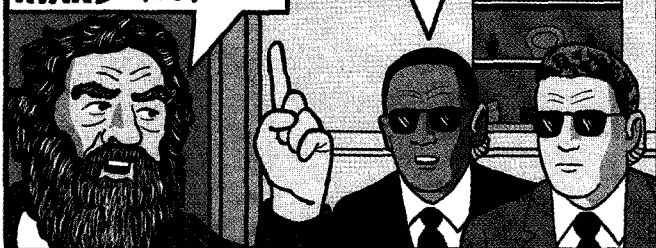
I THINK THE TERRORISTS PROBABLY JUST NEED A GREAT BIG HUG!



AND HOW FAR WILL THEY GO? WHILE NO ONE **REALLY** KNOWS IF THE DEMOCRATS WOULD PARDON SADDAM AND GRANT HIM DICTATORIAL AUTHORITY OVER AMERICAN CITIZENS, CAN WE REALLY AFFORD TO TAKE THE **RISK**?

BWAH HA HA! BRING ME MORE YOUNG AMERICAN VIRGINS--I **COMMAND** YOU!

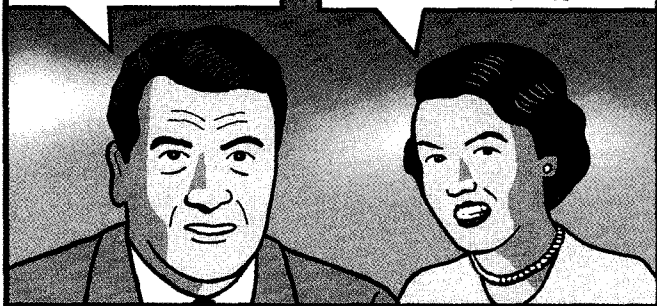
YES, SIR! WE'LL GO WREST THEM FROM THEIR UNSUSPECTING FAMILIES IMMEDIATELY!



ON SEPTEMBER 11, 2001, TERRORISTS ATTACKED AMERICA...AND TODAY, WE FACE A **NEW** CHALLENGE AS **DEMOCRATS** ATTACK THE **PRESIDENT**!

BOY, IT REALLY MAKES YOU WONDER WHOSE SIDE THEY'RE ON!

IF THEY WERE **TRUE** PATRIOTS, THEY'D JUST CONCEDE THE ELECTION RIGHT **NOW**!



AND CONSIDER: WHAT IF THEY ACTUALLY WANT AL-QAEDA TO **WIN**? WE'RE NOT SAYING THEY **DO**, OF COURSE--BUT JUST **LOOK** AT THIS COMPUTER GRAPHIC MORPHING HOWARD DEAN INTO **OSAMA BIN LADEN**!



THE IMPLICATIONS ARE **PRETTY CLEAR**, IF YOU ASK **US**!

NO, THERE'S ONLY **ONE** MAN WE CAN TRUST TO FIGHT THE WAR ON TERROR--AND HE'S **ALREADY ON THE JOB**!

AND I'M **WINNING**, TOO! AND IF AMERICANS VOTE FOR ME, I PROMISE TO **KEEP** DECLARING VICTORY--NO MATTER **WHAT** HAPPENS!



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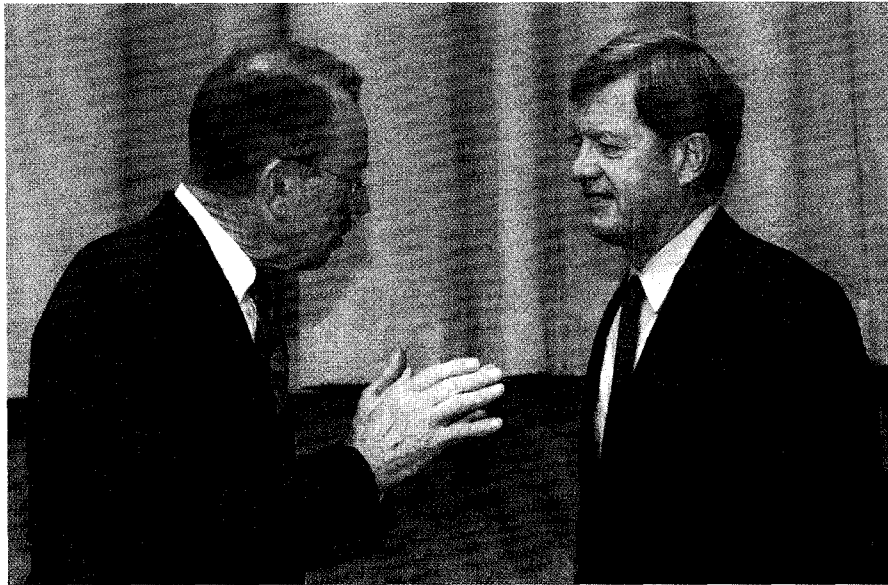
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WAP5

Dispatches



Remember, Vote 'Yes': Sen. Chuck Grassley (R-Iowa) huddles with Baucus (right).

Bad Max

It's a tempting story line that Sen. Max Baucus has to cast all those pro-Bush votes because of pressure back home in Montana. It's just not true.

BY MATTHEW YGLESIAS

OBSERVERS MARVELING AT PRESIDENT George W. Bush's ability to push a radical agenda through a closely divided Congress have tended to attribute the administration's success to the impressive party discipline within the Republican congressional caucus. And impressive it is—both historically and, especially, in comparison to the anarchic behavior of the Democrats during the same period.

Nevertheless, the Bush agenda of steep tax cuts, large spending increases targeted mainly at friendly corporate interests and aggressive militarism has provoked a steady stream of defections from a shifting combination of mod-

erates, deficit hawks and traditional foreign-policy realists. As a result, literally none of the president's signature initiatives—from tax cuts to the resolution authorizing war in Iraq to the Medicare bill—garnered sufficient GOP support to pass without cooperation from some Democrats, cooperation that the White House has largely succeeded in obtaining.

Among the defectors, Sen. Zell Miller (D-Ga.) has tended to attract the lion's share of media attention for his florid denunciations of his ostensible party. But the practical effects of Miller's histrionics have been rather limited compared with the betrayals of his more low-key

colleague Sen. Max Baucus (D-Mont.). As the ranking member (and, for a period, chairman) of the Finance Committee, arguably the Senate's most powerful, Baucus, who underwent successful brain surgery on Jan. 9, has not only voted for many pieces of Republican-backed legislation but actually taken the lead in authoring much of the president's domestic-policy agenda. During the 2001 tax-cut debate, Baucus cut a deal with committee Chairman Chuck Grassley (R-Iowa) and the White House to co-sponsor a slightly watered-down version of the president's proposal. In doing so, he not only gave the GOP his vote but, more importantly, his support for the tax cut effectively handed the White House the staff and other committee resources under his control.

Fellow Democrats were even more aggrieved, however, by Baucus' behavior during the Medicare battle with which Congress closed last year's session. The Senate initially passed a compromise bill with support from Republicans and some liberal Democrats like Ted Kennedy (D-Mass.), while the House put forward a much more partisan piece of legislation on a narrow vote. A conference committee composed of members of both chambers was convened, but the Republican leadership, in a sharp break from precedent, said that though Democrats could be officially appointed to the committee, none would be invited to the meetings where the substantive negotiations would take place and the actual bill be written. None, that is, except for Baucus and the similarly cooperative John Breaux of Louisiana, who will retire at the end of the year.

By lending this farce a veneer of bipartisan credibility, Baucus and Breaux essentially denied the Democrats what was not only their best chance of defeating the bill in question but the

party's last hope of putting a stop to a long string of Republican provocations aimed at reducing the minority party to window-dressing status.

As Norman Ornstein, a congressional analyst at the conservative American Enterprise Institute told *The Washington Post* in December, Democratic senators with any concern for the viability of the party would have said, "[I]f you don't let in Tom Daschle [D-S.D.]—our leader, elected by the Senate to be in the room—then we're not going in the room" and insisted that the Republicans at least abide by the rules.

Notably, Baucus' behavior has drawn condemnation not just from liberals but from centrist Democrats outside of government who can normally be found extolling the virtues of such willingness to work across party lines. Jeff Lemieux, a health-policy analyst at the Democratic

in coalition with Republican dissenters, have actually been able to block.

Many Democrats, moreover, regard Baucus' heresies as simply the price that must be paid to keep his Montana Senate seat out of Republican hands. One Senate staffer who worked against the Medicare bill said she was "resigned" to such behavior as long as the GOP has the ability to set the agenda; senators, after all, don't dare oppose the initiatives of a president who remains popular in their home states.

The excuse suffers from a near total lack of supporting evidence. A Dec. 8-10 poll by the *Billings Gazette* revealed that an underwhelming 41 percent of Montanans approve of the new law—more, to be sure, than the 30 percent who disapprove, but hardly a force a popular incumbent is incapable of resisting. The vote came, moreover, at a time when

Democrat Brian Schweitzer, who ran on a rural populist platform well to the left of Baucus' recent stands.

In short, while Montana is certainly not the most progressive state in the nation, it's not unwinnable either. Bill Clinton scored a victory there in 1992 (with some assistance from a heavy Ross Perot vote).

Pat Williams, who served in the U.S. House of Representatives from 1979 to 1997 with what he calls a "western-liberal voting record," agrees that nothing in the state precludes a less conservative Democratic Party. "I was elected more consecutive times to the House than anyone in the history of Montana," he says. "To me that always demonstrated that a Democrat does not have to masquerade as a Republican in Montana."

The Democrats seem to be losing Baucus due more to a lack of pressure from the left than to overwhelming pressure from the right. Jerry Driscoll, executive secretary of the Montana AFL-CIO, precisely the sort of organization that one would expect to stand up against tax cuts for the wealthy and for a Medicare reform that gives assistance to seniors rather than pharmaceutical companies, says Baucus "did the right thing" in both instances and wishes more Democrats had supported the Medicare bill. Driscoll's son Jay works in Baucus' office in Washington. Since Jerry Driscoll took over leadership of the local union movement in the spring of 2001, he has aligned the group with local extractive industries and moved to the right on key state and federal political issues.

Fenderson's Progressive Labor Caucus was established soon after to try to restore the voice of Montana's left. Now other liberals are growing restive. The central committee of the Democratic Party in Lewis and Clark County, containing the state capital of Helena, passed a resolution condemning Baucus' Medicare vote. And Lewis and Clark County party Chairwoman Brenda Wahler speaks of the "frustration that a lot of progressive Democrats have had with Max" and the sense "that he just really needs to listen to his base." Liberals hope to convince Baucus that a depressed base does not serve his electoral interests. Jim Murry, the now-retired longtime leader of the Montana AFL-CIO, says he

One poll showed that an underwhelming 41 percent of Montanans backed the Medicare law—hardly a force a popular incumbent is incapable of resisting.

Leadership Council-affiliated Progressive Policy Institute, says that during the negotiations, "What the policy actually was really became secondary to all sorts of other things," and it became apparent that Baucus was "more interested in making a deal than making good policy." A December editorial in *The New Republic* called on the Democratic leadership to consider removing Baucus from his position on the committee, or at least to threaten to do so if his behavior doesn't improve. Despite a distinct lack of enthusiasm for Baucus among other Hill Democrats at the moment—he not only backed bad policy but also handed a substantial political victory to the president heading into an election year—such a move remains distinctly unlikely.

The practice of assigning committee leadership positions on the basis of a strict seniority rule is very much in the interests of the powerful senators who already hold top spots, and Daschle would have little credibility in pushing for a break with precedent in light of his own defection on the recent energy bill, the lone Bush initiative that Democrats,

Baucus would not need to face the voters again for nearly five years, hardly a moment that demands a tactical shift to the right.

According to Gene Fenderson, executive secretary of the Montana Progressive Labor Caucus, "Max has always had a tendency to move to the right whenever his election comes up, but after this last election he just stayed there." Nothing in recent Montana political history indicates that Baucus is particularly vulnerable. The 2002 midterms saw Baucus win a crushing 63-to-32 victory over state Sen. Mike Taylor, with Baucus outspending Taylor's largely self-financed campaign by nearly a 4-to-1 margin. Baucus' underhanded television ads insinuating that Taylor is gay played a role in the campaign, but as early as June, Republicans privately admitted that the race was a long shot. Even his closest race, in 1996, was not especially tight, with Baucus beating then-Lt. Gov. Dennis Rehberg, whom he grossly outspent, by a 5-point margin. In 2000, by contrast, incumbent Republican Sen. Conrad Burns won by just 3 points over

"know[s] a lot of Democrats that absolutely refused to vote for [Baucus] last time," and thinks there may be more next time around.

Nevertheless, though Baucus has proved remarkably adept at infuriating liberals, small-government conservatives and centrist wonks alike, he remains the state's most popular politician, which, combined with his close ties to local business and labor groups, renders his position quite secure.

At the end of the day, the Senate Democratic leadership probably remains the only force capable of reining Baucus

in. Currently Daschle and Minority Whip Harry Reid (D-Nev.), both up for re-election this year, are preoccupied by their own campaigns. But if both are successful, they'll have the opportunity to throw more muscle behind party discipline and may be able to replicate some of the success Minority Leader Nancy Pelosi (D-Calif.) has had on this front in the House. If not, Baucus will soldier on as is—a low-profile but highly powerful maverick, charting his own destructive course through a polarized nation at a time when the stakes have never been higher. ■

Department was cool to the initiative.

Meanwhile, in mid-December, Vice President Dick Cheney reportedly told State Department negotiators trying to work out a deal with North Korea, "We don't negotiate with evil; we defeat it"—an allusion to the country's place in the dwindling "axis of evil." Although North Korea has made several offers, including one in early January to freeze all of its nuclear facilities in exchange for various economic incentives, the administration has failed to reciprocate.

Unhappy with the administration's mixed messages, some members of Congress have sought to bolster the hard-line position. The North Korea Freedom Act, introduced into the House and Senate in late 2003, has bipartisan backing and the support of a coalition of conservative groups, including Concerned Women for America and the Defense Forum Foundation. The act calls not only for North Korea to end its nuclear threat but throws a number of other issues into the mix. For instance, the bill would make it easier for North Koreans—particularly those with knowledge of Pyongyang's weapons programs—to enter the United States. It would also increase the information flow into North Korea by providing nearly \$44 million to smuggle in radios. According to the logic of these provisions, more information about the outside world will lead to more emigration and stimulate demands for dramatic change from within. "The goals of the bill are to encourage democracy and freedom among the North Korean people," says Brian Hart, communications director for Sen. Sam Brownback (R-Kan.), co-sponsor of the Senate version along with Evan Bayh (D-Ind.). "Whether that happens from within or from regime change, neither is the goal of the bill, but either would be welcome."

Sandy Rios, president of Concerned Women for America, adds, "Either the regime comes around or it won't last." If the North Korean leaders want to stay in power, "[t]hey will have to make some serious changes, such as stop murdering and killing their own people."

The inspiration behind the new bill is the activism of Norbert Vollertsen, a German doctor who worked in North Korea in 1999 and 2000 but now cham-

Second Act

As the North Korea merry-go-round keeps turning, Congress weighs a bill to encourage mass emigration. Good idea. Here's why it won't work.

BY JOHN FEEFFER

THE BUSH ADMINISTRATION HAS BEEN at times dangerously ambiguous in its policy toward North Korea. With a second round of six-party talks likely for early 2004 and North Korea's nuclear program chugging along, the upcoming debate on Capitol Hill over a new bill, the North Korea Freedom Act, may well be pivotal in pushing U.S. policy toward either engagement or increased confrontation. The stakes are huge: Even if the current conflict doesn't escalate into a shooting war, failure to bar North Korea from the nuclear club could set a poor precedent for nonproliferation and seriously damage the president's prospects for re-election.

This fall, after two years of alternately ignoring and threatening North Korea, the Bush administration seemed to change course. Anticipating election-year criticism, the administration announced that it was ready to talk, even to extend a multilateral pledge not to invade or attack, in exchange for North Korea's ending of its nuclear program. U.S. negotiators promised flexibility and pragmatism for the next round of talks involving the two Koreas, China, Japan and Russia. In addition, just in time for Christmas, the U.S. govern-

ment agreed to release 60,000 tons of food aid to a country still in the throes of a food crisis.

But the administration hasn't entirely abandoned regime change as a goal. Take, for instance, its response to Rep. Curt Weldon (R-Penn.). A hawk on the House Armed Services Committee, Weldon made resolving the nuclear crisis a personal mission in 2003. He visited Pyongyang last May and planned to return with a bipartisan delegation in October. The Bush administration, citing an alleged national-security breach that took place during the May trip, canceled the second trip at the last moment. Weldon was furious. He fired off a letter to the president pointing out that the supposed security breach—a report on U.S.-Russian relations he provided North Korean authorities in May—was in fact an unclassified document readily available on the Web. "The treatment of the delegation by your national security team has been offensive and arrogant," the letter read, further noting that such a prohibition of congressional travel was unprecedented. A private delegation, including former government official Jack Pritchard, subsequently went to Pyongyang, but the State

pions its collapse. Vollertsen frequently cites the example of the outflow of East Germans in 1989 that contributed to the fall of the Berlin Wall and the communist regime. In hopes of replicating that model, the doctor orchestrated a series of highly visible events, beginning in 2002, in which North Korean refugees stormed foreign embassies in Beijing. This strategy largely backfired, as China responded by rounding up and deporting tens of thousands of refugees back to North Korea. Vollertsen and his supporters now hope that the U.S. Congress can accomplish what embassy rushes did not.

The new bill also comes on the heels of a well-publicized campaign on Capitol Hill to shine a spotlight on North Korea's human-rights abuses. "The key thing about the bill from the policy point of view is to bring up the human-rights issue, which the United States has been ignoring," says Suzanne Scholte of the Defense Forum Foundation, which has sponsored several congressional hearings, including one with top-level North Korean defector Hwang Jong Yop.

As detailed in an October report by former Amnesty International Director David Hawk, which integrates a number of previously disparate defector accounts, North Korea maintains an extensive prison labor camp system with as many as 200,000 political detainees. The country's extensive surveillance system has effectively prevented the emergence of any organized political dissent. Without voice and in many cases without food, many North Koreans have simply escaped the country. In addition to addressing refugee issues, the North Korea Freedom Act would authorize \$4 million for organizations promoting human rights in North Korea—the very organizations that are rallying support for the bill in conservative circles and among Korean American churches.

There are good reasons to believe, however, that this multipronged strategy will not work. While large refugee outflows certainly contributed to the collapse of communism in East Germany, similar migrations only strengthened regimes in Cuba and Vietnam because the departing boats contained those most opposed to government policies.

Encouraging more North Korean migrants in the absence of mechanisms in China to handle the flow would raise expectations without fulfilling them.

China, meanwhile, has been extremely reluctant to accord refugee status to North Koreans for fear of offending its erstwhile ally and inviting an unstoppable migration. Although emphasizing the critical importance of addressing both human rights and North Korean refugees, Joel Charney of Refugees International argues that "a more practical way of approaching this, given the Chinese attitude, would be to convince China to stop arresting and deporting the North Korean refugees. If they were simply left alone by the Chinese authorities, in a quiet way, that could be a safety valve, rather than a high-profile effort that would attract more people to cross the border."

In addition, a provision in the bill lays out conditions for North Korea to meet before achieving its two key objectives, the elimination of U.S. trade sanctions and diplomatic recognition. But so strict are these conditions—they include, for example, such high standards of transparency and democracy that even U.S. allies like Saudi Arabia and Nigeria are hard-pressed to meet them—that one might reasonably suspect that the sponsors want North Korea to fail and thus become further isolated. Linking human rights with the nuclear issue, meanwhile, may ensure

that neither issue is adequately addressed in the upcoming talks. And even if the legislation ultimately did lead to regime change, such an outcome might not be desirable: The absence of any credible alternative to the government of Kim Jong-Il would create a dangerous power vacuum in North Korea, trigger a potential humanitarian crisis and leave thousands of dangerous weapons in limbo.

The North Korea Freedom Act will be taken up in Congress early this year. Groups backing the bill are planning a march on Washington in March to rally support. In an election year, members of Congress will feel pressure to take a stand on North Korea, but some are uncomfortable with the current bill. There is talk in Washington of a rival variant that addresses the substantive issues—North Korea's nuclear program, refugees, and human-rights and humanitarian issues—without goading North Korea into boycotting negotiations. The Bush administration, not eager to be blamed for allowing North Korea to go nuclear, has yet to resolve its internal conflict over strategy between pragmatists and hard-liners. Congress' ability to bring clarity to this debate will soon be tested. ■

JOHN FEFER is the author of several books, including the recently published *North Korea, South Korea: U.S. Policy at a Time of Crisis* (Seven Stories).

That Was Then

Deficit reduction worked for Clinton, but circumstances were different in 1993. Today's Democrats mustn't think they can merely mimic him.

BY JOSEPH E. STIGLITZ

WE LIVE IN AN UPSIDE-DOWN WORLD where Republicans defend deficits and Democrats attack them. These are seemingly opposite views. But both have led, mistakenly, to cuts in social investment as well as to needlessly slow economic growth and high unemployment.

For years Republicans tried to slay Keynesian economics, the idea that in

an economic downturn, one should run deficits. During the Clinton years, they even pushed for a balanced-budget amendment to the Constitution, which would have enshrined the principles of fiscal prudence (and precluded the Bush deficits). In those years, the Democrats were accused of being fiscally irresponsible because they sensibly be-

lieved that in times of recessions, a deficit was good policy.

All of this has changed. Ronald Reagan, of course, did run huge deficits, but that was supposedly a mistake. In his “voodoo” economics, tax cuts were supposed to somehow generate more tax revenues, so there was not supposed to be a deficit. Under George Bush Senior, taxes were raised to correct Reagan’s error. But George W. Bush unabashedly defends huge, endless deficits.

As a form of economic stimulus, all deficits are not created equal. The economy may be temporarily booming, but Bush’s tax cuts were not designed primarily to provide an effective stimulus but, rather, to reduce taxes, mainly on the wealthy, as an end in itself. But tax cuts for the poor, or better unemployment benefits, are far more effective in stimulating the economy. Public investment—in, say, roads, airports, education or technology—would have provided much more stimulus in the short run and enhanced America’s productivity in the long run.

The new Republican economic logic also insists that prolonged deficits do not produce significant increases in interest rates. This logic defies the usual laws of supply and demand, in which an increase in demand (here the demand for funds by the government) leads to an increase in price (here the interest rate). Accordingly, by this logic even enormous and structural deficits do not adversely affect growth. This view is nonsense, but Democrats make a mistake when they respond by embracing the old Republican role of deficit hawks. In a downturn, tax revenues normally decrease, so deficits increase. During a recession, therefore, it makes sense to tolerate and even to increase these deficits, to stimulate economic activity and recovery.

But the new Democratic recipe is something along the lines of, “Reduce the deficit and economic prosperity will be restored.” Emboldened by the seeming success of that formula in the early 1990s, and the seeming failure of the opposite strategy by Bush, many Democrats believe fiscal prudence will cure both the economy and their fiscal reputation. But, unfortunately, the wrong lessons have been drawn from both experiences.

DEFICIT REDUCTION UNDER BILL Clinton worked, both because of the peculiar circumstances of the time and because of the way it was carefully crafted. For a variety of reasons—including regulatory mistakes that contributed to the economic recession in the first place—banks had larger than normal portfolios of long-term government bonds. So the lowering of long-term interest rates—which increases the price of long-term bonds—effectively recapitalized the banking system, leading to new lending. Normally deficit reduction dampens the economy. But Clinton’s carefully designed deficit reduction program was heavily backloaded (to bite after a strong recovery was well under way). Moreover, the 1993 tax increase was targeted at the rich. On both counts, aggregate demand in the short run was not reduced much.

The economy may have a good quarter or two, but sooner or later the money markets will catch on and bid up rates. With that, the recovery may falter.

Conversely, Bush’s backloaded tax cuts, taking effect years down the road, lead the market to anticipate far larger deficits in the future, so medium- and long-term interest rates must rise relative to short-term treasury bills, partially undoing the Federal Reserve’s original efforts to lower interest rates. The lesson: While deficit increases normally stimulate the economy, it is possible to design ones badly enough that they do not provide much stimulus. The economy may have a good quarter or two, but sooner or later the money markets will catch on and bid up rates. And with that, the nascent recovery may falter.

TODAY THE ECONOMY IS GROWING again, but it’s not producing enough jobs. Bush’s presidency will likely be the first since Herbert Hoover’s with a net loss of jobs. The economy needs millions of new jobs just to keep up with the new entrants into the labor force. And it is not just that jobs are not being created; employed people are also working less. The United States is out of re-

cession but still far from its potential. Huge amounts of resources are being wasted, and millions of people are suffering as a result.

Bush’s defense is that he inherited a downturn; were it not for his tax cuts, he says, matters would have been even worse. That would be true, if Bush’s tax cuts were our only choice. But they are not. Alternative policies would have helped more, making the downturn shallower and shorter and the recovery stronger. Indeed, it is hard to imagine such a large set of tax cuts that could have done less to stimulate the economy.

By early 2001, it was clear that the economy was facing a significant and potentially prolonged downturn. (This is not just a matter of Monday-morning quarterbacking; others and I wrote this at the time. I even tried to speak to

Bush about it at a White House reception for Nobel laureates, but he was distinctly uninterested.)

We should have had tax cuts and expenditure increases targeted to where the money would be spent, and spent quickly: increased benefits for the unemployed, tax cuts for the poor, investment tax credits (just to those firms that make investments), and aid to the states and localities that would shortly be facing severe budgetary shortfalls, forcing cutbacks in expenditures or increases in taxes.

The badly designed tax cuts put an increasing burden on the Fed to keep the recovery going. But the Fed’s rate cuts have worked mainly by inducing households to refinance their mortgages, taking on greater and cheaper debt. This has left the economy in a precarious position. The higher indebtedness may make a robust recovery all the more difficult, for normally as recovery sets in, interest rates rise. Debt burdens are manageable today only because of the low interest rates. There is a further risk that rising in-

terest rates could not only squeeze consumption but also bring on a fall of real-estate prices, further dampening the recovery.

Had Bush's tax cuts been fairer and aimed more at stimulating the economy, the recovery would have occurred earlier and been far stronger; today the Fed would have had further room to maneuver, with fewer risks to our economic future.

WHERE DOES THIS LEAVE THE DEMOCRATS? The soaring Bush deficits are an easy target. They are a cause of concern. But the danger is that the Democrats will focus excessively on deficit reduction, thereby not only impairing the ability to maintain the economy at full employment but also reducing prospects for long-term growth. The simple fallacy is that government expenditures cause deficits, deficits force higher interest rates and higher interest rates crowd out private investment, which is the key to long-term growth. But much government

expenditure also underwrites investment. And if public investment is starved, growth, too, can be impaired. Studies by the Council of Economic Advisers show that the returns on public investments, such as in education and research and development, are very high—far higher than the returns on much private investment that was crowded out and certainly higher than the investments in the excess capacity of fiber optics, telecommunications and dot-coms.

The financial markets' focus on deficits is another piece of evidence of their shortsightedness—and another example of the need for better accounting. One needs to look not just at liabilities (what the government owes) but at assets. A deficit in our infrastructure can be even more harmful than a financial one. And these public investments—in education and in the environment—are necessary for sustainable growth with equity.

Some say that Bush created the huge deficits to squeeze government,

to force cuts in public investments and social programs. Democrats who focus excessively on deficit reduction are falling precisely into the trap, especially when political timidity impedes reversing the tax cuts.

It is true that increasing debt burdens—both to government and to households—have put our country's future at risk, a risk for which there is little compensating reward. Our looming problems—inequality and an aging population with increasing demands on Social Security and Medicare—have only been made worse. The cure will entail a far bolder program than just another bout of deficit reduction. ■

JOSEPH E. STIGLITZ, *professor of economics at Columbia University and author of The Roaring Nineties and Globalization and its Discontents, was a former chief economist of the World Bank and a former chairman of the Council of Economic Advisers under President Clinton. He received the 2001 Nobel Prize in Economics.*



THE EMERGING DEMOCRATIC MAJORITY

THE ELECTRONIC STRATEGY CENTER FOR BUILDING THE NEW MAJORITY

THE EDM WEBSITE & E-NEWSLETTER



Ruy Teixeira

By the end of this decade, demographic groups that generally support Democrats will provide the basis for a broad electoral majority. But the Democrats cannot convert this growing electoral base into an election-winning coalition until they overcome the deep split within the party.

Among rank and file Democrats, the real division is not the ideological split between centrists and populist-progressives but the practical differences between issue-oriented activists and professional political campaign workers. They have different goals, but when these two groups meet in a political campaign they find their needs and objectives overlap. On basic Democratic principles and values, far more unites them than divides them.

Today Democrats have a profound moral and social obligation to seek unity. Democratic divisions have allowed Republicans to embrace an ideological extremism and "win at any cost" mentality that threatens not only the Democrats as a political party but many basic American values and institutions.

What is urgently needed is a dialogue among Democrats to establish minimum standards of mutual respect and cooperation between the various sectors of the party. Beyond this Democrats need a new approach to political strategy, one based on the hard facts about public opinion and the belief that centrist strategies for winning majorities can be combined with progressive goals and ideals.

The Emerging Democratic Majority website and e-newsletter has been created as a meeting ground where rank and file Democrats who share this perspective can find resources and strategic analysis for building a new Democratic majority. I invite you to visit the site and subscribe to the EDM newsletter today.

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Tax Cheaters and Their Enablers

BY ROBERT S. MCINTYRE

David Cay Johnston of *The New York Times* came to the Urban Institute, a Washington think tank, in January to talk about his intriguing new book, *Perfectly Legal*. In it, he argues that some of America's richest people—with the active encouragement of

many of our political leaders—have successfully schemed to avoid much or most of the taxes they're supposed to pay. The event attracted a large audience, not least because Johnston's debating partner was supposed to be Washington's leading tax-shelter lobbyist, Kenneth Kies.

Unfortunately, Kies chickened out at the last minute, citing pressing client business (read he didn't want to face the heat). So the organizers had to recruit conservative economist Bruce Bartlett as a replacement, and this self-described "token right-winger" didn't provide the hoped for fireworks. But he and his fellow panelists did have some interesting things to say.

The theme of Johnston's book is that our tax system is "rigged for the super rich." While wage earners have to report all their income, executives and investors often thumb their noses at the rest of us. Taxes may be "what we pay for civilized society," as Oliver Wendell Holmes put it, but, Johnston says, too many very wealthy people "want civilization on the discount." The core of the problem, Johnston says, is that "we have radically reduced our efforts to go after serious tax cheats. Instead, we go after petty chiselers."

Johnston points to trumped-up hearings on supposed Internal Revenue Service abuses held by Republicans on the Senate Finance Committee in 1997 and 1998 as a turning point in eviscerating tax enforcement. The resulting law, he says, "handcuffed the tax police" by severely penalizing IRS employees for enforcing the law and "quickly became a boon for tax cheats of all kinds." On top of that, Johnston notes, major accounting firms have widely marketed abusive shelters to their wealthy corporate and individual clients, while the IRS' masters in Congress and the Treasury Department have refused to crack down on these schemes.

In one bit of wry humor, Johnston described seeing a picture a few years ago of a top Chrysler executive standing next to the company's tax return. It was taller than he was. The photo was supposed to illustrate how complicated our tax code had become, but Johnston said his first thought was, "That pile of paper probably made them more money than all the Plymouths they built that year."

Bartlett led off his reply to Johnston by admitting he was going to disappoint the audience. He described the scheduled speaker, Kies, as possibly "the richest lobbyist in Washington, who got that way by putting tax shelters into the code. If he were here, he'd probably defend them." But, Bartlett continued, "Unlike many of my Republican friends, I can't defend tax shelters—or tax cheating."

Sadly, Bartlett is unique among his cohorts. As this column has previously noted [see "Tax Cheaters' Lobby," June 4, 2001], conservative interest groups have almost unanimously lined up against efforts to curb offshore tax evasion.

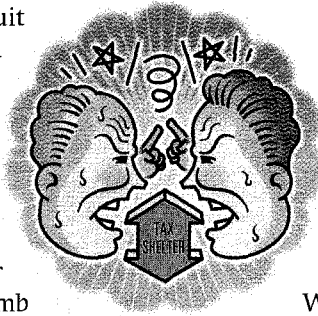
To illustrate the Bush administration's culpability in this regard, John Buckley, chief tax counsel for the Democrats on the House Ways and Means Committee and the third member of the panel, related how the IRS wanted to go

after a capital-gains tax shelter that it thought was obviously illegal. But that seemingly routine effort was rebuffed by George W. Bush's Treasury Department. According to Buckley, Mark Weinberger, then assistant secretary for tax policy and now back at Ernst & Young, told the IRS that because the administration was against capital-gains taxes, it didn't see a reason to discourage people from evading them.

Johnston makes his case—that we face a tidal wave of tax evasion and avoidance by the wealthy—anecdotally but persuasively. As Buckley put it, "This book eliminates any remaining doubt that tax shelters are a big problem." To address this dire situation, Johnston says we need far more "tax detectives." The current 15,000 IRS agents are no match for hundreds of thousands of big-time tax evaders, he says, especially as many of the IRS agents are forced to waste their time on petty cases.

That seems like common-sense advice. But so long as our government is run by people who think that tolerating cheating is just another way to provide tax cuts, even modest advances in tax enforcement will be hard to come by. ■

ROBERT S. MCINTYRE is the director of Citizens for Tax Justice.



America as a One

Today's hard right seeks total dominion. It's packing the courts and rigging the rules. The target is not the Democrats but democracy itself.

AMERICA HAS HAD PERIODS OF SINGLE-PARTY DOMINANCE before. It happened under FDR's New Deal, in the Republican 1920s and in the early 19th-century "Era of Good Feeling." But if President Bush is re-elected, we will be close to a tipping point of fundamental change in the political system itself. The United States could become a nation in which the dominant party rules for a prolonged period, marginalizes a token opposition and is extremely difficult to dislodge because democracy itself is rigged. This would be unprecedented in U.S. history.

In past single-party eras, the majority party earned its pre-eminence with broad popular support. Today the electorate remains closely divided, and actually prefers more Democratic policy positions than Republican ones. Yet the drift toward an engineered one-party Republican state has aroused little press scrutiny or widespread popular protest.

We are at risk of becoming an autocracy in three key respects. First, Republican parliamentary gimmickry has emasculated legislative opposition in the House of Representatives (the Senate has other problems). House Majority Leader Tom DeLay of Texas has both intimidated moderate Republicans and reduced the minority party to window dressing, rather like the token opposition parties in Mexico during the six-decade dominance of the PRI.

Second, electoral rules have been rigged to make it increasingly difficult for the incumbent party to be ejected by the voters, absent a Depression-scale disaster, Watergate-class scandal or Teddy Roosevelt-style ruling party split. After two decades of bipartisan collusion in the creation of safe House seats, there are now perhaps just 25 truly contestable House seats in any given election year (and that's before the recent Republican super gerrymandering). What once was a slender and precarious majority—229 Republicans to 205 Democrats (including Bernie Sanders of Vermont, an independent who votes with Democrats)—now looks like a Republican lock. In the Senate, the dynamics are different but equally daunting for Democrats. As the Florida debacle of 2000 showed, the Republicans are also able to hold down the number of opposition votes, with complicity from Republican courts. Reform legislation, the 2002 Help America Vote Act (HAVA), may actually facilitate Republican intimidation of minority voters and reduce Democratic turnout. And the latest money-and-politics regime, nominally a reform, may give the right more of a financial advantage than ever.

Third, the federal courts, which have slowed some executive-branch efforts to destroy liberties, will be a complete rubber stamp if the right wins one more presidential election.

Taken together, these several forces could well enable the Republicans to become the permanent party of autocratic government for at least a generation. Am I exaggerating? Take a close look at the particulars.

I. LEGISLATIVE DICTATORSHIP

Political scientists used to describe America's Congress as a de facto four-party system. There were national Democrats, mostly liberals; "Dixiecrats," who often voted with Republicans (*Congressional Quarterly* called this the conservative coalition and tabulated its frequent wins); conservative Republicans; and moderate-to-liberal "gypsy moth" Republicans, who selectively voted with Democrats.

Ad hoc coalitions shifted with issues. Back-benchers and committee chairs alike often defied both the leadership and the party caucus. Party loyalty was guaranteed only in the biennial election of the speaker, to give the dominant party formal majority status and perquisites. Only at rare moments, such as the New Deal's first six years and Lyndon Johnson's storied 89th Congress of 1965–67 (295 Democrats, 140 Republicans), were majorities so large that one party had effective parliamentary discipline. Infrequently, there were other moments of centralized leadership and relative party unity, among them the 100th Congress (1987–89) under Democratic Speaker Jim Wright and the tenures of two autocratic Republican speakers, Thomas Reed and Joe Cannon, back in the Gilded Age. But the usual complaint, dating from political scientist Woodrow Wilson's 1885 text on Congress, was that the congressional party system was an unaccountable stew of freelancers. A famous 1950 report by the American Political Science Association argued that more responsible parties would make for more effective democracy.

Along with shifting coalitions and weak party discipline, there was usually reasonable comity between majority and minority party. Major legislation was the product of lengthy committee hearings. Both parties could call witnesses. On most bills (except tax legislation in the House) there could be floor amendments, with extensive debate. Recorded floor amendments allowed members to be held accountable by constituents. House-Senate conference committees included majority and minority party conferees, and their final product

Party State

BY ROBERT KUTTNER

ILLUSTRATION BY TAVIS COBURN

was a compromise between the House and Senate bills. Go to the official congressional Web site (<http://thomas.loc.gov/home/lawsmade.bysec/lawsnew.txt>) and you will learn that this is supposedly how a bill becomes a law.

ALL THAT HAS RADICALLY CHANGED. Seeds of the change began appearing during the speakerships of both Democrat Jim Wright (1987–89) and Republican Newt Gingrich (1995–99), which produced more centralized leadership and party discipline. But the more radical changes, at the expense of democracy itself, have occurred since 2002 under Tom DeLay. Here are the key mechanisms of DeLay's dictatorship:

Extreme Centralization. The power to write legislation has been centralized in the House Republican leadership. Concretely, that means DeLay and House Speaker Dennis Hastert's chief of staff, Scott Palmer, working with the House Committee on Rules. (Hastert is seen in some quarters as a figurehead, but his man Palmer is as powerful as DeLay.) Drastic revisions to bills approved by committee are characteristically added by the leadership, often late in the evening. Under the House rules, 48 hours are supposed to elapse before floor action. But in 2003, the leadership, 57 percent of the time, wrote rules declaring bills to be "emergency" measures, allowing them to be considered with as little as 30 minutes notice. On several measures, members literally did not know what they were voting for.

Sorry, No Amendments. DeLay has used the rules process both to write new legislation that circumvents the hearing process and to all but eliminate floor amendments for Republicans and Democrats alike. The Rules Committee, controlled by the Republican leadership, writes a rule specifying the terms of debate for every bill that reaches the House floor. When Democrats controlled the House, Republicans complained bitterly when the occasional bill did not allow for open floor amendments. In 1995, Republicans pledged reform. Gerald Solomon, the new Republican chairman of the committee, explicitly promised that at least 70 percent of bills would come to the floor with rules permitting amendments.

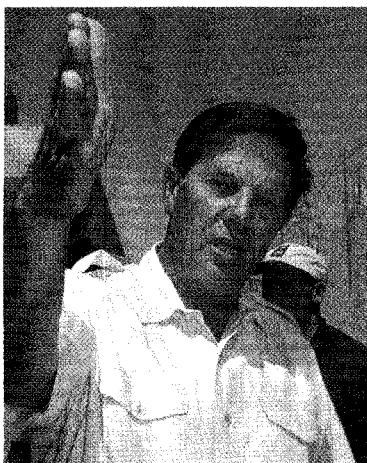
By eliminating
floor amendments,
Tom DeLay gets
the bill that the
leadership wrote.



Instead, the proportion of bills prohibiting amendments has steadily increased, from 56 percent during the 104th Congress (1995–97) to 76 percent in 2003. This comparison actually understates the shift, because virtually all major bills now come to the floor with rules prohibiting amendments.

DeLay has elevated votes on these rules into rigid tests of party loyalty, on a par with election of the speaker. A Republican House member who votes against a rule structuring floor debate will lose committee assignments and campaign funds, and can expect DeLay to sponsor a primary opponent.

How does this undermine democracy? As the recent Medicare bill was coming to a vote, a majority of House members were sympathetic to amendments allowing drug imports from Canada and empowering the federal government to negotiate wholesale drug prices. But by prohibiting floor amendments, DeLay made sure that the bill passed as written by the leadership, and that members were spared the embarrassment (or accountability) of voting against amendments popular with constituents.



Ham-handed: Tom DeLay

Senate conferees are increasingly barred from attending conference committees, unless they are known turncoats. On the Medicare bill, liberal Democratic Senate conferees Tom Daschle and Jay Rockefeller were excluded. The more malleable Democrats John Breaux and Max Baucus, however, were allowed in. [See Matthew Yglesias, “Bad Max,” page 11.] All four House Democratic conferees were excluded. Republican House and Senate conferees work out their intraparty differences, work their respective caucuses and send the (nonamendable) bill back to each house for a quick up-or-down vote. On the Medicare bill, members had one day to study a measure of more than 1,000 pages, much of it written from scratch in conference.

Legislation Without Hearings. Before the DeLay revolution, drafting new legislation in conference committee was almost unknown. But under DeLay, major provisions of the Medicare bill sprang fully grown from a conference committee. Republicans got a conference to include a weakened media-concentration standard that had been explicitly voted down by each house separately. Though both chambers had voted to block an administration measure watering down overtime-pay protections for workers, the provision was tacked onto a must-pass bill in conference. The official summary of House procedures, written by the (Republican-appointed) House parliamentarian and updated in June 2003, notes: “The House conferees are strictly limited in their con-

sideration to matters in disagreement between the two Houses. Consequently, they may not strike out or amend any portion of the bill that was not amended by the other House. Furthermore, they may not insert new matter that is not germane to or that is beyond the scope of the differences between the two Houses.” Like the rights guaranteed in the Soviet constitution, these rules are routinely waived.

Appropriations Abuses. Appropriations bills are must-pass affairs, otherwise the government eventually shuts down. Traditionally, substantive legislation is enacted in the usual way, then the appropriations process approves all or part of the funding. There has long been modest abuse in the form of earmarked money for pet pork-barrel projects and substantive riders being tacked onto appropriations bills. But since Gingrich, a lot of substantive bill drafting has been centralized in House leadership task forces appointed by the majority leader. And under DeLay, Appropriations subcommittee chairs must now be approved by the leadership, as well as by the Appropriations chairman.

BUT DIDN'T THE DEMOCRATS COMMIT THE SAME ABUSES during their 40-year House majority? Basically, no. The legislation written by stealth in the Rules Committee and in conference, and the exclusion of the minority party from

One-Party Conferences. The Senate still allows floor amendments, but Senate-passed bills must go to conference with the House. Democratic House and

The Republican House Whip Organization uses “catch and release” to allow moderates to take turns voting for bills they oppose.

conferences, are new. In 1987–89, Speaker Jim Wright occasionally used closed rules restricting floor amendments, but DeLay has made the railroading systematic.

Before 1975, conservative Democratic committee chairs often blocked liberal legislation, despite nominal Democratic House majorities. In 1975, rules changes supported by the large and idealistic “Watergate class” allowed the caucus to elect committee chairs, overturning the system of seniority. During the speakerships of Tip O’Neill (1977–86) and Wright, the caucus gradually strengthened both the leadership and itself at the expense of committee chairs. As speaker, Wright gained control of the Rules Committee and occasionally used his powers to frustrate floor amendments. He devised complex rules that permitted nonbinding preliminary votes to be overridden by the final vote. This maneuver, bitterly criticized by Republicans at the time, was the germ of the rules abuses that DeLay has taken to dictatorial levels.

To enforce party discipline, the DeLay operation has also perfected a technique known as “catch and release.” On close pending votes, the House Republican Whip Organization, with dozens of regional whips, will target, say, the 20 to 30 Republican members known to oppose the legislation. When the leadership gets a final head count and determines just how many votes are needed, some will be reeled in and others let off the hook and given permission to vote “no.” According to Michigan Republican Nick Smith, the leadership threatened to oppose his son’s campaign to succeed him unless he voted for the Medicare bill. Basically, Republican moderates are allowed to take turns voting against bills they

either oppose on principle or know to be unpopular in their districts. On the Medicare bill, 13 Republican House members voted one way on the House-passed bill and the other way on the conference bill. That way they could tell constituents whatever they needed to. As one longtime House staffer observes, "They can say, 'I would have voted to amend it, but I didn't get the opportunity.'"

Here again, some previous House and Senate leaders were adept at squeezing wavering members with rewards or punishments. The difference is that today's tight caucus discipline is used to enforce broader anti-democratic abuse. On the Medicare bill, the final roll-call vote was held open a full three hours well after midnight so that the leadership could keep pressuring Republican legislators who wanted to vote "no." Back in 1987, Republicans went ballistic when then-Speaker Wright held a vote open for a then-record extra 15 minutes. Dick Cheney, at the time a Wyoming representative, termed the move "the most arrogant, heavy-handed abuse of power I've ever seen in the 10 years that I've been here."

IN SHORT, SOME OF THESE MANEUVERS HAD EMBRYONIC antecedents, but under DeLay differences in degree have mutated into an alarming difference in kind. Wright's regime lasted just one congressional session. It ended unceremoniously when a minor ethics breach (Wright's bulk sales of his book) was bootstrapped into a major scandal by a Republican back-bencher named Gingrich, leading to Wright's resignation and his replacement by the far less partisan Tom Foley, and then to the Democrats' loss of the House in 1994. DeLay's regime shows every sign of going on and on—with abuses of which the Democrats never dreamed.

Why is there no revolt of the Republican moderates? They are split along issue lines, too intimidated and too few to mount a serious challenge, and almost never vote as a bloc. The only House Republicans who openly challenge DeLay as a group are those to his *right*, almost all of whom voted against the Medicare bill as too expensive.

And why has this anti-democratic revolution aroused so little general attention or indignation? First, Democrats are ambivalent about taking this issue to the country or to the press because many are convinced that nobody cares about "process" issues. The whole thing sounds like inside baseball, or worse, like losers whining. If they complain that big bad Tom DeLay keeps marginalizing them, as one senior House staffer puts it, "It just makes us look weak." But when Joe Cannon, the Republican House speaker a century ago, played similar games, it was a very big deal indeed. Press investigation and popular outrage toppled him. Today's abuses are hidden in plain view, but the press doesn't connect the dots.

In the Senate, Democrats still have the filibuster as a weapon of last resort, though the Republicans want to abolish it for judicial nominations. The Senate also continues to permit recorded floor amendments. But there is far less unity among Senate Democrats than among House Democrats, and Senate Republicans are learning anti-democratic tactics from the House. Most notably, they are complicit in the abuse of conference committees.

II. A PERMANENT LEGISLATIVE MAJORITY

It may feel like an eternity, but wall-to-wall one-party government has been in place only since Republicans took control of the Senate briefly during 2001—they lost it when Vermont Senator Jim Jeffords quit the party that May—and again since January 2003. During Bill Clinton's first term, Democrats nominally controlled Congress, though with weak discipline. Clinton himself practiced bipartisan "triangulation," which further weakened the Democrats. Bush's presidency, by contrast, has produced a near parliamentary government, based on intense party discipline both within Congress and between Congress and the White House. It helps that Senate Majority Leader Bill Frist literally owes his job to Karl Rove.

In one sense, parliamentary discipline is good for democracy: It enables voters to hold the party of government accountable. If they don't like the results, they can throw the rascals out. But today, it has become far more difficult to oust the congressional in-party. One big reason is the vanishing swing district.

If the current abuse of parliamentary processes were operating in ordinary times, the opposition party would soon be returned to power and a cycle of reform would ensue. The 1903–11 dictatorship of the aforementioned Joe Cannon abruptly ended when widespread outrage produced an alliance between Democrats and Progressive Republicans to weaken the speaker's powers in 1910, and then a landslide repudiation that November in which Republicans lost 57 seats and Democrats took control for the first time since 1895.

But since the early 1980s, the number of contestable House seats has come down and down. It's not that voter preferences have become more stable; there are actually more registered independent voters than ever. Rather, in state legislatures both parties have worked to create unprecedented numbers of safe congressional seats. Sometimes the two parties have cut deals, redrawing district lines to make Republican House seats more Republican and Democratic ones more Democratic. In other cases, a state party with a legislative majority—Republicans in Texas today, Democrats in California in 1981—will redraw district lines that create the maximum number of safe seats for their party. Both courses are profoundly undemocratic because each leaves most members with little to fear from voters and reinforces the underlying pro-incumbent bias of Congress.

Both parties are partly to blame, but as the recent supergerrymandering caper in Texas illustrates, Republicans have played dirtier. Historically, districts are redrawn only after each decennial census. The unprecedented gerrymandering between censuses, carried out by the Texas legislature but orchestrated by Rove and DeLay, will likely shift seven seats from Democrats to Republicans. (The press paid far more attention to the jollity of Texas Democratic state representatives fleeing to Oklahoma and New Mexico to temporarily deny Republican legislators a quorum than to the deadly serious consequences when Republicans eventually prevailed.) A three-judge federal appeals court panel has upheld this caper, which will eventually come before the same Supreme Court that wrote *Bush v. Gore*.

Many Democrats thought themselves clever to collude in

the safe-seat game. But this particular bout of musical chairs has ended with a nearly frozen House that is structurally tilted Republican. In combination with the DeLay parliamentary dictatorship, the consequence is a near permanent partisan lock. So today's Republican Party is more disciplined and accountable to party leaders but far less accountable to voters.

Here are the numbers: With 229 Republicans and 205 Democrats (counting Sanders), it would take a net Democratic pickup of just 13 seats (that's 13 Democratic gains equaling 13 Republican losses for a net swing of 26 seats) for the House to change control. Historically, that's a small swing. In the nine elections between 1968 and 1984, the median swing was 42 seats. In the nine elections since 1986, the opposition party enjoyed a swing of 26 or more only once (the Gingrich landslide of 1994), and the median swing was just 10 seats. So normally the current Republican majority would be vulnerable to a below-average election-year swing. Today, however, with only about 25 effectively contestable seats, Democrats would have to win about three-quarters of the contestable races to take control, i.e., 19 Democratic wins to just six Republican wins, which in turn would require a tidal shift of public opinion.

All told, there are as many as 60 swing seats. But many potentially competitive seats become contestable only after the current incumbent retires or dies. Conversely, swing seats often become safe seats once an incumbent is re-elected and entrenched. Because not all incumbents retire at once, at any given time the number of effective contestable seats does not exceed about 25.

Note also the interplay between the legislative dictatorship and the dwindling number of swing districts. In previous eras, a majority leader with a margin of just 26 seats would have to carefully broker compromises both with his own moderates and with the opposition party. But the DeLay dictatorship and the ever fewer swing districts have combined to produce the opposite result. Individual legislators with safe seats needn't worry about swing voters, and DeLay needn't worry about losing swing districts because so few are left. Accordingly, the congressional Republican Party has become more militantly conservative. Like Bush, who also had no real mandate for radical change, DeLay is governing as if his party had won by a landslide. The country may be narrowly divided, but precious few citizens can make their votes for Congress count. A slender majority, defying gravity (and democracy), is producing not moderation but a shift to the extremes.

HERE AGAIN THE SENATE IS A VARIATION ON THE THEME, but with the same essential consequence: long-term one-party control. Senators are of course elected statewide. By definition, there is no gerrymandering of the Senate. (The republic's Founders achieved that in advance by giving big states and small ones the same number of senators.) But for a variety of other reasons, Democrats are unlikely to retake the Senate anytime soon.

One reason is the increasingly solid Republican South, something that New Democrats hoped their centrist formula could stave off. In the 1980s and early '90s, several southern Democrats did get elected as pro-development, pro-defense, racial moderates. But this trend has now collapsed [see Kevin

Phillips, "All Eyes on Dixie," page 24]. Lately, Democrats have lost Senate seats they held in Georgia, Tennessee and Virginia. In 2004 they will very likely lose seats held by retiring incumbents in North Carolina, South Carolina and Georgia, and could also lose closer races in Louisiana and Florida. Democrats do have a couple of pickup opportunities elsewhere. But the likely southern losses make it almost a statistical impossibility for Democrats to take back the Senate in 2004. These losses are not the result of any direct Republican assaults on democracy per se, though holding down black southern turnout could be considered a kind of assault. But the consequences of such losses will reinforce one-party government.

III. THUMBS ON THE ELECTORAL SCALE

In the aftermath of the Republican theft of Florida's electoral votes and the 2000 presidential election, Congress passed the Help America Vote Act. Many states are using HAVA funds to shift from now-prohibited punch cards or old-fashioned voting machine systems to ATM-type computer terminals. However, the three biggest makers of such computerized voting systems have financial ties to the Republican Party, and there is already evidence that the biggest manufacturer, Diebold, has had trouble designing tamper-proof systems. Some Democrats, led by Rep. Rush Holt of New Jersey, have proposed that all such machines be backed up by "verifiable paper trails," but this suggestion has gotten almost no Republican support. Moreover, millions of the poorest Americans have no experience with ATMs, and could well be deterred from voting.

A second potential for mischief is the provision put into HAVA, at Republican insistence, requiring voters who register by mail to show a government ID at the polls. This sounds innocent enough. Republicans, however, have a long and sordid history of "ballot security" programs intended to intimidate minority voters by threatening them with criminal prosecution if their papers are not technically in order. Chief Justice William Rehnquist got his political start running a ballot-security program for the Republicans in the 1962 elections in Arizona. Many civil-rights groups see the new federal ID provision of HAVA as an invitation to more such harassment. The Department of Justice's rights division was once a bulwark against these tactics, but that division currently reports to an attorney general named John Ashcroft.

The latest semi-reform of our system of money and politics could also backfire. The Supreme Court recently upheld the McCain-Feingold law, which prohibits unlimited donations to political parties. Democrats have taken comfort from the ability of Howard Dean to raise large sums of small money, while major liberal donors like George Soros can donate vast funds to voter-registration, get-out-the-vote and issue-advocacy organizations. But McCain-Feingold also dramatically raised the ceiling on permissible hard-money donations and allowed unlimited sums for independent groups and state parties. The Democrats have one George Soros; the Republicans have dozens, and many thousands more donors capable of reaching the new \$2,000 hard-money ceiling than the Democrats have.

Money also goes disproportionately to incumbents. For a generation Democrats offset Republican financial dominance

by inviting wealthy donors to invest in their incumbency. When they didn't have Congress, Democrats had the presidency, and vice versa. No more. Now the Republicans can combine their natural financial dominance with wall-to-wall incumbency. This financial superiority further helps cement the Republican lock on Congress by dissuading challenges and also discourages potentially strong Democratic candidates from running.

When you add it all up, there is still far more conservative money than progressive money. The fewer the firewalls between big money and the electoral process, the more systematic advantage the right has in maintaining a permanent lock.

IV. RUBBER-STAMP COURTS

Recently, several close court decisions have defended democracy and due process. In December, a federal appeals panel in New York ruled that President Bush lacked the authority to define an American citizen arrested in the United States as an "enemy combatant" and to deny him or her due process. Another appeals court, in San Francisco, held that the indefinite imprisonment of 660 noncitizens at Guantanamo Bay, Cuba, violated both the U.S. Constitution and international law. A three-judge panel of the U.S. Court of Appeals for the District of Columbia Circuit blocked, at

THE MOST PREDICTABLE PUBLIC-POLICY RESULT OF EXTENDED one-party rule would be the completion of the Bush/radical-right project: the dismantling of social investment, regulation, progressive taxation, separation of church and state, racial justice and trade unionism. The administration's opportunistic version of federalism would continue to preempt the ability of states and localities to enact progressive policies of their own.

Even more insidiously, the radical right would likely use its wall-to-wall control of government to reduce liberties, narrow electoral democracy and thereby minimize the risk that it would ever lose power. Republican one-party rule would also strategically target progressive habitats, changing laws that currently tolerate or incubate oases of progressive political power and build liberal coalitions, such as the labor movement, universal social insurance, and an effective and valued public sector.

IS THIS ONE-PARTY SCENARIO INEVITABLE? FOR A VARIETY of structural reasons noted above, Democrats are unlikely to take back Congress this decade, absent a national crisis or massive scandal that overwhelms the governing party. But, contrary to the

By the end of a second term, Bush would likely have at least three more Supreme Court justices in the mold of Scalia and Thomas.

least temporarily, the Bush administration's efforts to gut major portions of the Clean Air Act by administrative fiat.

However, if George W. Bush is re-elected, a Republican president will have controlled judicial appointments for 20 of the 28 years from 1981 to 2008. And Bush, in contrast to both his father and Clinton, is appointing increasingly extremist judges. By the end of a second term, he would likely have appointed at least three more Supreme Court justices in the mold of Antonin Scalia and Clarence Thomas, and locked in militantly conservative majorities in every federal appellate circuit.

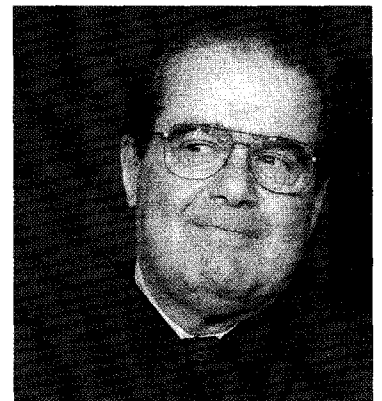
How would such a Supreme Court change American democracy? We already know from *Bush v. Gore* that even the current high court is a partisan rubber stamp for contested elections. A Scalia-Thomas court would narrow rights and liberties, including the rights of criminal suspects, the right to vote, disability rights, and sexual privacy and reproductive choice. It would countenance an unprecedented expansion of police powers, and a reversal of the protection of the rights of women, gays and racial, religious and ethnic minorities. An analysis of Scalia's and Thomas' rulings and dissents suggests that a Scalia-Thomas majority would also overturn countless protections of the environment, workers and consumers, as well as weaken guarantees of the separation of church and state, privacy, and the right of states or Congress to regulate in the public interest. (For a full and thoroughly chilling account, see "Courting Disaster II: How a Scalia-Thomas Court Would Endanger Our Rights and Freedoms," People for the American Way, June 2003, <http://www.pfaw.org/pfaw/general/default.aspx?oid=11111>.)

views of some of my colleagues, I think a Democrat could well win the White House in 2004. The Democratic base is aroused in a fashion that it has not been in decades, and swing voters may yet have second thoughts about George W. Bush. It's not at all clear what the economy and the foreign-policy scene will look like next fall, or what scandals will ripen.

Democrats have also begun fighting back against legislative dictatorship, and this may yet become a public issue. When the Republican Senate leadership unveiled rules changes to make it effectively impossible for Democrats to block extremist judicial nominees with a filibuster, the Democratic leadership threatened to use parliamentary tactics to shut the place down. House Democrats are now almost as unified as their Republican counterparts, and, if anything, even angrier. Tom DeLay may be sowing a whirlwind. And if a variation of the 2000 Florida theft is attempted in 2004, it is inconceivable that Democratic leaders and activists would show the same docility that Al Gore displayed.

We've seen divided government before, with a Democratic president and a fiercely partisan Republican Congress. It is not pretty. But it is much more attractive than a one-party state.

Benjamin Franklin, leaving the Constitutional Convention in Philadelphia, was asked by a bystander what kind of government the Founders had bestowed. "A republic," he famously replied, "if you can keep it." There have been moments in American history when we kept our republic only by the slenderest of margins. This year is one of those times. ■



The Chief? Antonin Scalia



ALL EYES

The South isn't all Bob Jones University, and Democrats *can* make inroads there.

BY KEVIN PHILLIPS

HOW TO BALANCE NORTHERN AND SOUTHERN STRATEGIES is as central a challenge for the national Democratic Party in the 2000s as it was for the Republicans in the 1960s and '70s. The irony is that some of the same tactical considerations apply—at least if one reverses regionalisms.

Three decades ago, the GOP's obvious need to concentrate on realigning the South engendered an obvious corollary debate: Should the Republican Party, in the process, write off the Northeast? My own 1969 book, *The Emerging Republican Majority*, was cited as saying so, when it certainly did not. It would be equally crazy for today's Democrats to dismiss the South completely rather than simply give it a low priority when the White House is at stake.

Back in the Nixon era, national Republican strategists could and did assume, as a consequence of the expected southern shift, that the Northeast would become less of a priority—few states there were needed—in a tight presidential race. However, to write it off would have been silly. Indeed, between 1968 and 1988, when the GOP won five presidential races out of six, the northeastern states of New Hampshire, Maine, Vermont, Connecticut and New Jersey went Republican at least four times. In addition, gubernatorial, U.S. Senate and U.S. House victories within the region were significant.

Today's national Democrats need what, conversely, must be called a "Northern Strategy." In any tight presidential election, the overwhelming proportion of Democratic electoral votes is going to be tabulated in the Northeast, the Great Lakes and the West Coast. A Democratic presidential candidate winning, say, 51 percent of the popular vote would probably carry only one

to three of the five southern and border states most in play—West Virginia, Florida, Tennessee, Louisiana and Arkansas.

The emerging Democratic dependence on the Northeast, Great Lakes and West Coast is an old story, having been obvious since the first years of the emerging Republican majority—in the 1968 Hubert Humphrey vote and the 1972 George McGovern vote. Jimmy Carter provided only a very brief post-Watergate interruption. The weak Al Gore pattern in 2000 was more similar than might have been expected, a phenomenon to which I will shortly return.

If Bill Clinton had half as much morality and fidelity to old Democratic constituencies as he had sheer intellect, he could have built a 1992 to 2004 Democratic mini-era. Indeed, the combined Gore and Ralph Nader vote in 2000 suggested the extension that should have been. In 1992, the old Richard Nixon–Ronald Reagan coalition was out of gas. The Democratic opportunity was there.

The very notion of a mini-era raises an important point of chronology. The old 32- to 36-year presidential cycles are probably a thing of the past, what with weak party loyalties and ticket splitting. Under these circumstances, it makes even less sense for one of the two parties to write off a region. That is especially true because there are shrewder ways to play regional politics.

1. The Southern Geography of a Democratic Northern Strategy: Just as the greater national Democratic viability in the Northeast, Midwest and West Coast has been a clear fact of the last four decades, so has the limited geography of the

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ON DIXIE

Perhaps. But Democrats on the hunt for new electoral votes should look to Ohio.

BY CLIFF SCHECTER AND RUY TEIXEIRA

AND NOW, AS CANDIDATES AND JOURNALISTS SHAKE THE New Hampshire snows off their boots and the primary process heads south, we can look forward to a spate of media stories raising the question of whether *any* Democratic presidential candidate can effectively compete in the 11 southern states—Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas and Virginia. Pundits will revisit Howard Dean's maladroitness about voters with "Confederate flag decals on their pickup trucks" and mull over last November's big GOP gubernatorial wins in the region.

There's one problem with the media's question, though: It is irrelevant. The Democratic nominee will run a strategy anchored in non-southern states. And he should, for one simple reason: It is the only way to win. The reality is that just as you will not see much of George W. Bush in Providence, R.I., a Democratic message and strategy that can successfully oust the president will be one most palatable to the party's base and to swing voters on the coasts, in the industrial Midwest and in border states, and throughout the burgeoning Southwest. The South will have little to do with it.

Here's why. Putting the Gore-Nader vote together as an indicator of underlying Democratic strength, and comparing it with the Bush-Buchanan vote, the eight closest states the Democrats won in 2000 and will have to defend in 2004 are Iowa, Michigan, Minnesota, New Mexico, Oregon, Pennsylvania, Washington and Wisconsin. Using the same comparison, here are the eight closest states the Democrats *lost* in 2000, some of which they will obviously have to win in 2004:

Arizona, Colorado, Florida, Missouri, Nevada, New Hampshire, Ohio and Tennessee. By these rankings, only two out of 16 states critical to Democratic chances are in the South. Compare that with six in the Midwest and four in the Southwest and you have a sense of the mathematical logic that is driving the Democrats to focus their 2004 presidential strategy outside the South.

That logic is reflected in the state targeting lists put out by Democratic voter-mobilization groups. For example, Steve Rosenthal's America Coming Together (ACT), which is shaping up to be the most important of these organizations, has a list of 17 targeted states, only two of which are in the South (including Florida, but with Arkansas substituted for Tennessee). The rest of ACT's list is the same as above, with the addition of Maine and the substitution of West Virginia for Colorado.

Let's face it: This ain't rocket science. The data are pretty clear on where the Democrats need to concentrate their resources, and, given that their resources are limited, they will seek to concentrate them in the most efficient manner. By and large, that's not in the South. End of story.

Or is it? Political stories are rarely so simple, and this one is no exception. There could, in fact, be negative consequences to the non-southern strategy that Democrats must avoid or mitigate if the strategy is to be politically effective in 2004 and beyond. First, by disregarding conservative southern voters, the Democrats might wind up with a message that's too far left. Second, by ignoring the South *too* completely, the Democrats might miss some significant political

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Democrats' southern possibilities. Florida has been northernizing. Part of what keeps West Virginia, Tennessee and Arkansas in play is that the GOP no longer enjoys its old Civil War-era loyalties in the economically laggard southern mountains. And in Louisiana, Cajun Catholic strength keeps down the local electoral power of the Protestant religious right. Had Gore—who didn't carry a single southern state—taken any one of these five he would have had an Electoral College majority.

But a funny thing happened to the Democrats in the South between 1994 and 2000. They got tarred among white evangelical, fundamentalist and Pentecostal voters by what may have been the final stage of the GOP shift that began in 1968–72. Clinton became a moral anathema—by 2000, 40 percent to 45 percent of Americans retrospectively supported his impeachment, up from 35 percent to 38 percent during the 1998 debate—and the effect rubbed off on Gore despite his Southern Baptist credentials and his wife's work for traditional values.

Other moderate southern winners for whom Democrats had great hopes—Jim Hunt of North Carolina and Bob Graham of Florida, among others—also seem to have fallen by the wayside or retired in the last decade. Too many southern white voters have decided that regional Democrats no longer have anything much to say to them. Moreover, each time the Democrats have had a southern president who disappointed Dixie, the party has paid the price—LBJ in 1964–68, Carter in 1980 and most recently Clinton. The recent regional disaffection has been the most pervasive.

George W. Bush, who all but called for a return to national morality, achieved a restoration of the family dynasty due above all to the churchgoing white South. According to national polls in 2000, evangelicals and fundamentalists cast fully 40 percent of Bush's vote, and his 84 percent support among committed evangelicals was higher than any previous Republican nominee.

Since then, two events have further fortified Bush with this electorate. First, he invoked September 11 in ways that enabled him to become, in the eyes of many fundamentalist Christian supporters, the first U.S. president to double as the leader of the U.S. religious right. Then his 2003 invasion of Iraq was backstopped by a flurry of religious rhetoric, subtly presented to mobilize the "end times" voters and to trade on biblical analogies, not least the image of Baghdad as the new Babylon. All the while, of course, Bush has also been fortifying himself with this constituency by giving its members unprecedented patronage and input on their vital issues.

In my new book, *American Dynasty*, a chapter titled "The American Presidency and the Rise of the Religious Right" develops all of this in much more detail. But suffice it to say here that the GOP will be hard put to hold some of the extremely high 2000 fundamentalist and evangelical support levels that were inflated by the unusual impeachment-period hostility toward Clinton.

Moreover, a backlash against the religious right can be expected in much of the North in coming years if—and it is a big "if"—the Democrats can spotlight these parochialisms effectively.

2. Overindulging the South as a Drawback for a Governing National Coalition: Historically, when the South has too much influence in a governing national coalition, that coalition can be at risk. Three good examples stand out. Back in the 1820s, northern voters were sensitive to the argument that a Virginia dynasty (George Washington, Thomas Jefferson, James Madison, James Monroe) had achieved too much dominance of national politics, and the dynasty ground to a halt. By the 1850s, the leadership role of the southern "slaveocracy" had fatally split the Democratic Party. Even in the 1950s and '60s, the influence of the South in Congress became an issue for northern liberal reformers, and southerners felt that they were being pushed out. Because of this frustration, the Republicans won the South with relatively small concessions.

Now we are in another period of southern preeminence. In the late 1980s and 1990s, the South and the religious right both increased their hold on the national GOP to a point of domination, and this remains the current state of affairs. Three facets of the national Republicans' over-southernization—excessive domination by evangelicals and fundamentalists, unilateralist foreign policy and preemptive war (verging on Armageddonism), and extremist Texas economics in the Tom DeLay mode—have created a potential vulnerability akin to the three earlier examples.

The Republican coalition is certainly not immune. In 1998, the GOP's over-embrace of the religious right in its impeach-Clinton crusade produced a small midterm backlash. In 2000, John McCain's confrontation with Bush over the latter's alliance with televangelists like Pat Robertson and Jerry Falwell, to say nothing of Bob Jones University, identified a major fault line in the Republican electorate. While pro-McCain voting was most evident in the North, it could also be seen in upscale sections of Virginia and South Carolina.

To some extent, this Bush-McCain cleavage in 2000 followed lines akin to those identified in mid-20th-century southern politics by political scientist V.O. Key. Urban and suburban upper-middle-class districts diverged from rural and small-town fundamentalist districts—the division between metropolitan Atlanta and rural and small-town Georgia is the classic example. The odds are that a shrewd campaign to cast the Robertsons, Falwells and Joneses as extremists in the North would also have some success in parts of the South, as Key's state profiles and McCain's recent results suggest.

On the other hand, those who doubt that the Democrats have the skills needed to pull off such a campaign have good reason for their skepticism.

3. A Northern Strategy That Works in the South: There is little about the 2004 cast of Democratic contenders that suggests such well-honed instincts. Howard Dean's remarks about wooing southern voters with Confederate flags on their pickup trucks is a case in point.

But at some point, be it 2004 or 2008, Democrats are going to have to confront the GOP coalition in a way that challenges its particular vulnerabilities: the preemptive-war doctrine, the excessively sweeping definitions of sin and the primitive

A shrewd campaign to cast the religious right as extremist would succeed in parts of the South.

views of the congressional party on family planning, reproductive rights and even evolution. Bob Jones University is a joke in Charleston and Hilton Head, not just Boston and Madison. The fact that 50 percent to 55 percent of Bush's 2000 voters believe in Armageddon is not likely to be a recommendation on Long Island or in La Jolla, any more than on Downing Street or at New York's UN Plaza.

There is also a huge risk in the Bush dynasty's closeness to Sun Myung Moon. How many religious voters are going to like the idea that Moon sees himself, not Jesus, as the messiah? Moreover, as the 2003 tax debate in Alabama shows, there is even a growing church vote uncomfortable with a Republicanism that claims that Jesus would have much sympathy with the DeLay brand of economics. The Republicans already have such an inflated share of the southern fundamentalist and evangelical vote that the Democrats have few votes left to lose.

Whether or not Bush will face a tight race in 2004 remains to be seen. Should it happen, though, the obvious Democratic theme in the five marginal southern and border states would be economic: Bush favoritism to investors and inheritors over ordinary working Americans. The statistics are clear enough, and West Virginia, Tennessee, Louisiana and Arkansas are poor states where joblessness and low wages are real problems. Florida, however, is more likely to turn on the economics of senior citizens, including the recent Medicare overhaul. The chance that the Democrats enjoyed there in 2000 may have vanished.

There is little reason to assume that "little guy" economics can outweigh the racial and religious appeal of the GOP to white voters in Mississippi, Alabama, Georgia, South Carolina, Virginia and Texas. However, race is less determinative in other parts of the South. The Democrats may be lim-

ited to mostly black congressional districts in the Deep South, but they should be able to maintain more broadly based and competitive state parties elsewhere. With luck—and a tougher critique of GOP economics—a modified northern presidential strategy should not block the Democrats in West Virginia, Arkansas, Louisiana, Tennessee and Florida from maintaining a roughly even split of the 10 U.S. Senate seats and 35 percent to 40 percent of the House seats.

To be sure, I watched the Democrats fail to learn vital electoral lessons back in the 1970s and '80s, and the case can be made that many party leaders failed to appreciate other recent lessons—that, for example, Clinton provoked a major religious disenchantment, and that, because the stock-market bubble grew up and popped on his watch, not Bush's, swing voters have not exactly flocked to hear half-hearted Democratic views on how the GOP ruined the economy.

This handicap does, in some ways, support a thesis that Democrats should just make nice with one another and wait for demographic tides to increase the nonwhite population and the ratio of secular voters to frequent churchgoers, perhaps by 2008 or 2010. The problem is that this is 2004, and a high percentage of rank-and-file Democrats feel strongly enough about vital issues to support a bold voice that makes the straddle set nervous.

My guess is that any serious Democratic national strategy is going to have to make boldness work. For all that, it may take a couple of elections—and if the party does, even the South may sit up and take notice. ■

KEVIN PHILLIPS *published* *The Emerging Republican Majority* in 1969. His new book, *published in January*, is *American Dynasty: Aristocracy, Fortune and the Politics of Deceit in the House of Bush*.

SCHECTER AND TEIXEIRA CONTINUED FROM PAGE 25

opportunities—both short-term and long-term—in that region. Third, by pulling the presidential campaign out of the South, down-ballot Democratic candidates in the region (especially for the Senate) could be easy pickings for the GOP. Confronting these problems head-on could make the difference between a successful strategy and one that does more to weaken than help the Democrats' chances.

One of the advantages of the non-southern strategy is that the Democratic presidential candidate won't have to try to appeal to a bloc of very conservative southern white voters who aren't likely to vote for him anyway. In Georgia, for example, more white voters say they're conservative than say they're moderate, and almost a third say they're members of the religious right. And, of course, white voters in Georgia are notoriously susceptible to racial politics around issues like the Confederate flag. A national Democratic candidate who tailors his message to these voters will likely succeed only in depressing base turnout, without any compensating electoral payoff.

The possible *disadvantage* is that the candidate, free from this constraint, will run too far to the left in order to please the liberal base of the Democratic Party. That would be un-

fortunate, as well as quite stupid. The whole point of this strategy should be to allow the Democrats to craft a clear message that both excites liberal base voters *and* holds appeal for moderate white swing voters, especially in the Midwest where the loss of manufacturing jobs and health-care access have hit particularly hard.

A quick look at Ohio—perhaps the most coveted Democratic electoral target in the coming election—illustrates this. Al Gore lost Ohio's 21 electoral votes by less than 4 points in 2000, and the combined Gore-Nader vote ran only 2 points behind the combined Bush-Buchanan vote. In that election, Gore got 41 percent of the white vote; 44 percent and he would have won the state.

The economic basis for such a modest increase should be there for Democrats in 2004. Heavily unionized Ohio (37 percent of voters are in union households, including 35 percent of white voters) has lost one-sixth of its manufacturing jobs since Bush took office, including a stunning 81,000 since November 2001, the official beginning of the current economic recovery. A strong critique of the Bush administration's economic record should fall on receptive ears. It's also worth noting that the Gore campaign basically abandoned

Ohio in early October of 2000, shifting resources elsewhere; so, arguably, just having a candidate who *competes* in the state may get Democrats much of the additional support they need.

Finally, white voters in Ohio tend to be moderate rather than conservative. They are quite unlikely to consider themselves members of the religious right and are largely unaffected by issues like the Confederate flag. This will make it harder for Republicans to sway white voters away from their economic problems simply on cultural grounds, as the GOP can do so effectively in a southern state like Georgia.

But that doesn't mean that Democrats can relax and be as liberal as they want to be about social issues and cultural sensibilities. On the contrary, Ohio, according to a recent Pew Research Center report, is still one of the more traditional states in the country on social issues. And about half of white voters there own a gun and tend to be suspicious of Democrats' views on gun control.

This means that the non-southern strategy, if it is to succeed in a critical state like Ohio, still needs the kind of "values centrism" espoused by Bill Clinton. Yes, Democrats have to support bedrock principles like a woman's right to choose, but that support has to be framed in moral terms these voters can understand ("safe, legal and rare") and combined with moderate stances on issues like gun control (think "gun safety").

The non-southern strategy is not about running as if every state were California. It's more about running as if every state were Ohio—true to the Democratic principles and priorities cherished by the base but attentive to the concerns of the moderate swing voters who can put you over the top.

The second potential problem with the non-southern strategy is that kissing off the South completely could mean that the Democrats would be blind to a few genuine opportunities they have there. Florida seems too tempting a target for Democrats to pass up in 2004, and, depending on the lay of the land this fall, a case could be made for fighting for a second southern state like Arkansas, Tennessee or Louisiana. And, over the longer term, demographic and economic trends that are reshaping areas in North Carolina (the Research Triangle, Charlotte), Virginia (around the D.C. suburbs) and other southern states should create a more competitive environment for Democrats across the region. The new South is not dead; it's still rising.

That's why the non-southern strategy should be seen as a matter of emphasis, not as dogma. Within this focus, there should be room for exceptions (like Florida) and the flexibility to adapt to changing opportunities in the rest of the South. A strict "forget the South" approach (as a recent *New York Times Magazine* article urged) actually leads away from the cardinal principle of the non-southern strategy, which is to concentrate limited resources where they're likely to do the most good. If one or two of those places are in the South, Democrats should not ignore them.

That said, Democrats should acknowledge the changing regional base of the party. Parties in America always tend to be regionalized, and the fact is that the regional base of the

Democratic Party is shifting away from the South as the Republicans' regional base has shifted toward it. Indeed, the oft-cited observation that the Democrats have never won the presidency without carrying at least some southern states mostly reflects the Democrats' previous regional base rather than anything particularly meaningful for today's politics. A more useful observation is that the progressive Republicans of Teddy Roosevelt's day, whose regional bases in the Northeast, Midwest and West Coast have now been taken over by the Democrats, won the White House from 1896 to 1908 without carrying a single southern state in any election.

A final problem is that if a non-southern strategy induces the national party to move sharply left and to abandon serious competition in the region, the down-ballot implications of the strategy could be serious, indeed. This concern is sharpened by the five Senate seats vacated by incumbents that Democrats have to defend in the South: Georgia, Florida, Louisiana, North Carolina and South Carolina.

The important point here is this: The national party needs to let southern Democrats be southern Democrats. Just as Republicans in blue states need to run well to the left of Bush to have a hope of winning local or statewide office, so, too, do Democrats in red terrain need to run well to the right of the national party to win. Kathleen Blanco, the recently elected governor of Louisiana, was almost indistinguishable from her Republican opponent on social issues: anti-abortion under virtually every scenario, against all gun control and even toying with creationism.

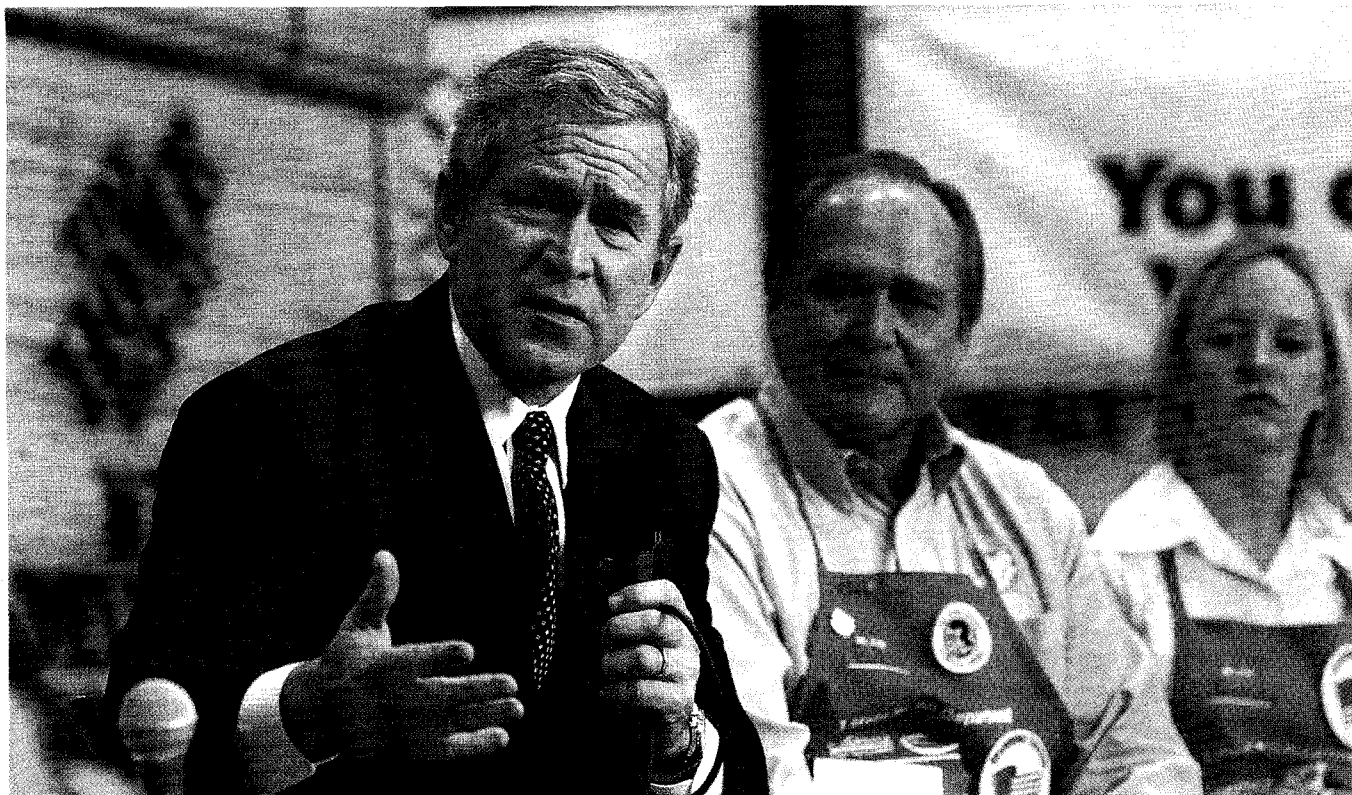
Southern Democrats running for the Senate and House this year in hostile territory will have to do much the same dance. And the Democratic Party has to let them.

This should not be an insurmountable task; the Democrats' down-ballot prospects in the South are better than generally supposed. Recent polls show Democratic senatorial contenders Erskine Bowles and Betty Castor running ahead of potential GOP rivals in North Carolina and Florida, respectively. And if Rep. Chris John decides to run for John Breaux's seat in Louisiana, he, too, would likely be an early favorite. Even at the gubernatorial level, where Democrats have done poorly of late, the Democratic Leadership Council points out that much of this represents the continuation of an anti-incumbent voting trend, rather than a definitive rejection of the Democrats (12 of 20 southern gubernatorial elections since 1998 have resulted in a defeat for the incumbent party).

So: Run like every state is Ohio, pursue opportunities in the South selectively as they arise and let southern Democrats be southern Democrats. Let's hope the Democrats get these details right, because electoral arithmetic will dictate a non-southern strategy in 2004 no matter what objections some in the party may have. In other words, it's no longer whether but how. The latter is a proper subject for debate; the former, at this point, should not be. ■

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**The cardinal principle
is to concentrate
limited resources
where they are likely
to do the most good.**



Orange Alert: On the December day that Bush visited this Home Depot in Maryland, Dick Cheney went to Oklahoma and Treasury Secretary John Snow hit Missouri.

The GOP Deploys

Campaign events masquerading as “official” visits. A massive army on the ground. And—wouldn’t you know it—a secret headquarters. Welcome to Bush-Cheney 2004.

BY GARANCE FRANKE-RUTA AND HAROLD MEYERSON

AN UNDISCLOSED LOCATION, VA.— FROM THE OUTSIDE, THE headquarters of the Bush-Cheney re-election campaign is completely unremarkable—so unremarkable that passersby have no way of knowing it’s even there. Through the tinted windows of the Arlington office tower where the headquarters is lodged, people shuffling papers can be glimpsed as through a glass darkly. There is no storefront-style sign out front, even though the office is on the ground floor, nor is there a sign on the door. The campaign is not listed in the building directory, and there’s no address for it posted on the Internet or in the local directory services.

“Our location is disclosed, but not completely,” says Brian Danza of the Bush-Cheney communications office. “We just don’t like having media people out here.”

The administration’s love of secrecy, its concerns about being a soft target for terrorists and its desire to depict the president as above the fray have turned the re-election project into the ultimate under-the-radar campaign. While the Democratic Party has been noisily tearing itself apart for the

past six months, the Bush-Cheney re-election team has been quietly and methodically building a formidable grass-roots operation. Since launching on May 17, 2003, the president’s team has grown into a 24-state operation with 160 people at its headquarters. And, as with the buildup of troops before the Iraq War, the deployment has gone largely unnoticed.

Though the president has publicly avoided election-year wrangling, on any given day his campaign has been sending Cheneys, cabinet members and the first lady out on the trail. Take Nov. 6, for instance: The president was in Washington to sign the Iraq and Afghanistan reconstruction supplemental funding bill, Laura Bush went down to campaign events in Virginia and West Virginia and Lynne Cheney popped up to a Bush-Cheney reception in Pennsylvania. Or Dec. 5, when the president attended a Bush-Cheney ’04 fund-raising lunch in Baltimore and stopped by a Home Depot to give a talk on the economy. Meanwhile, Treasury Secretary John Snow talked jobs in the swing state of Missouri, the vice president campaigned in Oklahoma and

SHAWN THIEW/EP/ALANDOV

the Bush-Cheney '04 staff trained grass-roots supporters in Port St. Lucie, Fla. Three days later, on Dec. 8, while George W. Bush was at the Daughters of the American Revolution Constitution Hall signing the Medicare prescription-drug bill, campaign manager Ken Mehlman was rolling out the re-elect team in South Carolina and Commerce Secretary Don Evans was attending Bush-Cheney '04 fund-raising receptions in Kentucky.

As with everything about the Bush presidency, its re-election campaign seems to exist at two levels. There's the public campaign, in which a moderate, visionary president comes up with inclusionary programs—pro-Mars, pro-Mexican—to broaden his base of support. And there are the more niche campaigns, hidden in the shadows, in which the campaign stirs its right-wing supporters to action by appealing to their baser instincts. There are impressive efforts to register and turn out millions of new voters. And there's evidence of national Republican efforts to perfect longstanding voter-intimidation programs directed at blacks and Hispanics.

All that can lead to a multitude of messages. Having endeared himself to movement conservatives during his first three years in office, for instance, the president is now moving more to the center to pick off portions of the Democratic base with such policies as his prescription-drug coverage act

sinister attempt by Soros—a native of Hungary but a naturalized American citizen who has lived in the United States since 1956—to provide the Democrats with money from an immigrant. The ad comes close to resurrecting the classic anti-Semitic stereotype of the Jewish cosmopolitan financier undermining a Christian republic.

MUCH OF WHAT THE REPUBLICANS HAVE WROUGHT OUTSIDE the limelight is, to be sure, not so sinister. All the same, Democrats should be paying far more attention than they are to what the GOP has done here—both in terms of its fund raising and the very early on-the-ground organizing, which has frankly given it an undeniable head start in an area that Democrats used to own. In 2003, Bush very publicly raised a record \$130.8 million and ended the year with a soothing \$99 million cash on hand. His campaign also used the fall and winter to bring on campaign chairs, hire key staff, build online networks, hold voter-registration and get-out-the-vote (GOTV) training sessions for thousands of activists, and prepare to go into the field in key battleground states months ahead of when it had been able to in the 1999–2000 electoral cycle.

Visiting the Bush campaign headquarters after spending time at former Gov. Howard Dean's (D-Vt.) bustling

While broadcasting moderation, the campaign is also narrow casting a meaner message toward its true believers. There's a neat division of labor here.

and his proposal for immigration reform. Both policy shifts fall far short of meeting the real needs of the targeted populations, but politically they're intended to move small percentages of senior and Hispanic voters into the Republican column. Republican strategists, for instance, speak of boosting Bush's share of the Hispanic vote from the 35 percent he won in 2000 to 38 percent next year, which could spell the Republican margin of victory in New Mexico and Arizona. In a nation more or less split down the middle between Democrats and Republicans, just a little movement within discrete constituencies can drop three or four additional states into your column.

But while broadcasting moderation, the campaign is also narrow casting a meaner message toward its true believers. There's a neat division of labor here: While the e-mails that go out over the president's signature to supporters are chipper and unremarkable, those from Mehlman sometimes play to classic right-wing phobias in order to keep supporters' zealotry suitably stoked.

On Dec. 18, for instance, Mehlman sought to rouse his troops with a message titled, "Foreign liberal cash used to defeat President Bush!" What followed was an extremely unflattering photograph of a grimacing, hook-nosed George Soros (one of the most significant contributors to the unofficial Democratic voter-mobilization organizations that have arisen in the wake of McCain-Feingold) and a message bemoaning the "billionaire liberals and the flood of foreign money that they're encouraging." Mehlman called on "450,000 AMERICAN grassroots contributors" to counter the

Burlington hive feels rather like being a scholarship student visiting a rich friend whose family name graces the school buildings. The whole setup speaks of wealth and security. Instead of the Dean offices' mismatched, secondhand furniture, everything at the Bush headquarters is new, comfortable-looking and designed expressly for the purpose it is serving. Instead of being stuffed four to a corner, staffers each have a neat little cubicle, complete with partially padded walls in a tasteful orange-and-blue tapestry design. The desks all have chairs of which the Occupational Safety and Health Administration would approve. The computers, also new, all match. Terry Holt, press secretary for the campaign, is dressed on the day before New Year's in his day-off casuals—a blue sweater, slacks and a well-worn, pumpkin-colored "W" cap—when we sit down in his spacious office, where the floor is covered by Persian rugs and the two televisions are tuned to MSNBC and the FOX News Channel.

Most staffers on this pre-holiday afternoon, says Holt, are taking the day off to watch ballgames. Though he doesn't say it, it's clear that this is some of what \$130 million buys you. No competitive primaries. No frantic late nights. Time to plan and to be thorough. Time to go to ballgames. But as different as the Bush and Dean campaigns may appear, when it comes to voter outreach, they sound remarkably similar.

"The president has made clear that this campaign is going to be won or lost by people talking to people," says Holt. The line between the personal and political, as Holt sketches the campaign, will be a thin one: Re-electing Bush will be the work of countless block parties and yard sales. "The

best endorsement," Holt adds, "comes from your neighbor." In fact, he sounds a lot like Dean's campaign manager, Joe Trippi, talking about the Democratic candidate's community-based, "people-powered" campaign. Holt looks surprised and a little taken aback at the idea. "Well," he says, he says of Trippi, "he's right."

That the Bush and Dean campaigns are using similar rhetoric about the importance of the grass roots is no coincidence. Both Bush and Dean come across as "conviction" politicians who assiduously cultivate their parties' activist bases. But their similarities are not merely stylistic; they are organizational as well. While the Dean campaign likes to present the growth of its own grass roots as an organic surge of popular sentiment, both it and the Bush campaign are, in fact, working out of the same playbook. To a considerable degree, they got it from the AFL-CIO.

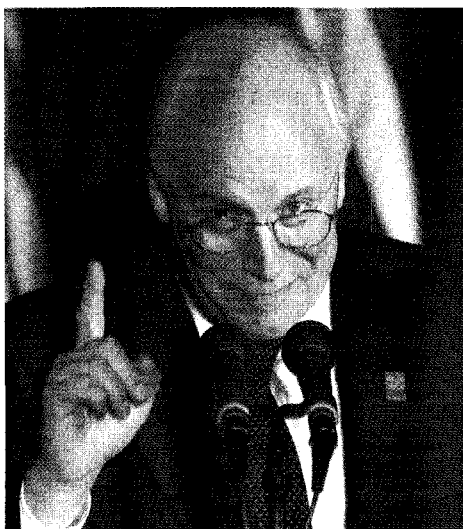
The story, on the Republican side, starts just after the 2000 election, which Bush's chief strategist, Karl Rove, had expected to yield a 50-percent to 51-percent popular vote for his candidate. Instead, Bush's backing declined in the final week: He won just 48 percent of the popular vote and entered the White House thanks chiefly to the friendly ministrations of five Supreme Court justices. Once they had installed their man, Republicans scurried to see what had gone wrong. Blaise Hazelwood, the Republican National Committee's (RNC) political director, had research showing that union households in 1998 and 2000 were turning out to vote at rates much higher than their percentage in the population. Evangelicals, meanwhile, were underperforming, putting Republicans at a distinct disadvantage in the final 72 hours of a race, when union mobilizations led by the AFL-CIO were having a strong impact in turning out households that would vote Democratic. "It seemed that they had a really good ground game," Hazelwood told *The Washington Post* in 2002.

So the RNC's organizers developed a 72-Hour Task Force to work on the problem. They tried more than 50 different organizing methods, doing trial runs in the state elections of 2001. They learned that knocking on doors, instead of merely leaving fliers, could be worth 2 to 3 percentage points in a tight election. In another RNC experiment, four volunteers were pitted against a professional telemarketing firm, each with an identical script and separate lists of voter names. The four volunteers got almost 5 percent more people to the polls than the pros. "The 72-Hour [Task Force] reads like a Democratic GOTV manual," says Teresa Vilmain, the general election strategist for the Democratic National Committee (DNC).

More particularly, the tests the Republicans ran and the answers they found are remarkably similar to those that Steve Rosenthal, then the AFL-CIO's political director, had conducted for the federation after the 1996 election. "We found that union members calling union members were more

effective than paid phone bankers," Rosenthal says. "We found that the most effective form of communication was for someone they knew—a shop steward, for instance—to talk to them and hand them materials from their union. You want the contacts to be as personal as you can make them; you want as many contacts as possible. It's not rocket science." The AFL-CIO transformed its field program accordingly, and the union household share of the electorate rose from 19 percent in 1992 to 26 percent in 2000.

What worked for the house of labor, though, also worked for the party of capital. In the 2002 midterm elections, the Republicans sent more than 1,500 activists from Washington and 15,000 volunteers from across the country to sway voters in competitive races. Mobilizing conservatives in swing states while the Democrats had virtually no message and no one in the field but labor, the GOP's GOTV program worked. The percentage of Republicans voting went up, and for the first time in decades the party in the White House gained congressional seats in a midterm election.



Uriah Veep: One more time around the track for Dick

THIS COMING NOVEMBER, JUST AS IN 2002, the Democrats won't have GOTV to themselves. Starting in September 2003, the Bush campaign began forming local leadership teams in battleground states. By January 2004, it had campaign leaders in place in 24 states: West Virginia, Ohio, Arizona, Missouri, Tennessee, Michigan, Oregon, New Hampshire, Iowa, Nevada, Washington, Minnesota, Wisconsin, Maine, Arkansas, New Jersey, Hawaii, Virginia, California, Texas, South Carolina, Georgia, Pennsylvania and, of course, Florida. Like the Democrats,

the Republicans attend to voter mobilization so urgently because they believe the nation is so evenly divided. In a memo last November to Mehlman and Karl Rove, Matthew Dowd, the chief strategist for the Bush-Cheney campaign, noted that "this race will be decided within a four- or five-point margin, not the 18- to 20-point margins like 1984 or 1972."

So the war in the field has already begun. In Florida, the state party is registering 75,000 new Republican voters and boosting turnout to more than 80 percent among those already registered as Republicans. According to the *St. Petersburg Times*, the campaign will have trained more than 2,500 activists and volunteers at 12 get-out-the-vote training sessions by the end of January. Organizations in nearly all of the state's 67 counties are already in place. The campaign plans to recruit 65,000 volunteers in Florida alone to talk to voters, host block parties and write letters to the editor. "I don't think they've ever been this close to the ground ever," Geoffrey Becker, executive director of the Florida GOP, told the *Prospect*.

This year, says Becker, Florida Republicans are scouring the property-tax rolls to find people in GOP precincts who aren't yet registered. They're also tapping into Florida's abundant localized church alliances and organizations, along with

such longtime allies as the National Rifle Association and the Florida Farm Bureau. Above all, the party is starting earlier this year than ever before. In 2002, says Becker, the national committee initiated its 72-Hour Task Force in July and August; this year, it's starting in February.

Like their Democratic counterparts, GOP activists have become something of a flying squadron, especially throughout the South. In the 2002 gubernatorial election, according to Becker, between 1,500 and 2,000 people came from out of state to volunteer in the 72-Hour Task Force for Gov. Jeb Bush (R-Fla.).

"I was told to get ready for more of this in 2004," Becker says. "Last year we sent people to Mississippi for [the] governor's race [on behalf of Haley Barbour], and Mississippi might be sending their folks here in '04. They're not looking at a very contested [presidential] election there."

For its part, the Florida state Democratic Party has announced it has no plans to start ground organizing until March, which is still considerably earlier than it has mobilized before. In 2000, "We didn't have our field staff in place until midsummer," DNC Chairman Terry McAuliffe told the *Prospect* last year. Perhaps more significant for the Democrats, some of the "527s"—the independent organizations formed in reaction to campaign-finance reform laws that will be car-

ing women is the more expandable. The election's outcome may turn on who's right and which side does the better job of following through on its promises.

VOTER REGISTRATION AND IDENTIFICATION WEREN'T THE only mobilization programs that occupied the Republicans in 2003, however. They were involved in a major voter-intimidation program as well. The battleground on which they tested their latest tactics was the Philadelphia mayor's race, where the campaign of the Republican challenger, Sam Katz, grew extremely nervous at the success the Democrats had had at registering minority voters. The Republican response was an attempt to scare black and Hispanic voters away from the polls—not a new trick in the Republican playbook by any means, but one that the DNC had better be studying and preparing to confront this November.

To begin, according to Democratic consultant Tom Lindenfeld, who ran the counter-intimidation program for the campaign of Democrat John Street, the Republicans assembled a fleet of 300 cars driven by men with clipboards bearing insignias or decals resembling those of such federal agencies as Drug Enforcement Agency and Bureau of Alcohol, Tobacco, Firearms and Explosives. Thus arrayed, says Lindenfeld, these pseudo-cops spent election day cruis-

"What occurred in Philadelphia was much more expansive and expensive than anything I'd seen before, and I'd seen a lot," says consultant Tom Lindenfeld.

rying out most of the Democrats' registration and GOTV campaigns this year—are already deploying in Florida.

(The 527s are certainly shaping up this year as the Democrats' counter the Republicans' newfound affinity for the grass roots. In last November's Philadelphia mayoral election, Democrat John Street was returned to office in good part due to the efforts of one such labor-backed group, Partnerships for America's Families, which registered 86,000 black and Hispanic voters in a city of 1.5 million people.)

In Michigan, the GOP appointed its 72-Hour Task Force director, Beth Thompson, close to a year ago. Its goal is 40,000 new Republican voters in a state where people don't register by party. Michigan Republicans are canvassing unidentified voters by phone, flushing out the potential Bush backers by asking them, says Thompson, about such time-honored wedge issues as "life and guns." The Democrats are hoping to counter this by registering tens of thousands of new voters at their Feb. 7 presidential caucuses. Ed Bruley, who served as chief of staff for former Rep. David Bonior (D-Mich.), the onetime House Democratic whip, notes that 40,000 new Republicans "doesn't amount to much in a state where 6 million voters are registered." (In 2000, Al Gore beat Bush by 217,000 votes there.)

Which raises a key question for campaign 2004: Which party's base can be enlarged more? Rove has said that the Republicans aim to register and turn out 3 million new evangelical Christian voters. Rosenthal questions whether they're up to the task and argues that the universe of unregistered Democrats among African Americans, Hispanics and work-

ing Philadelphia's African American neighborhoods and asking prospective voters to show them some identification—an age-old method of voter intimidation. "What occurred in Philadelphia was much more expansive and expensive than anything I'd seen before, and I'd seen a lot," says Lindenfeld, who ran similar programs for the campaigns of Harvey Gantt in North Carolina and other prominent Democrats. In a post-election poll of 1,000 black voters, 7 percent of them said they had encountered these efforts (this being Philadelphia, there were allegations of violence and intimidation against Street supporters as well). Lindenfeld employed 800 people to confront the GOP's faux-agents at polling places.

Lindenfeld's operatives found Republican volunteers from as far away as Missouri, and attorneys from the District of Columbia were discouraging Philadelphia voters from exercising their franchise. That doesn't make the effort an official activity of the RNC, of course. But it does mean that a broad network of Republicans are still honing their techniques for manipulating an election.

There are, after all, a multitude of tasks this year for which the Republicans must ready themselves: soothing the centrists while inflaming the right; getting their vote up and keeping the Democrats' vote down. In 2003, the Republicans' early deployment of their field campaign, much less their cultivation of the blacker arts, went all but unnoticed. In 2004, with the electorate divided evenly between the parties, even the smallest ploy can pay dividends. Republicans mean to be ready. ■

THE AMERICAN PROSPECT

A SPECIAL REPORT ON EDUCATING AMERICA

FEBRUARY 2004

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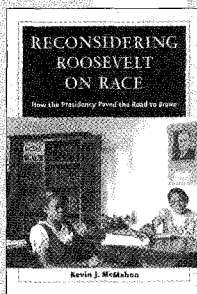
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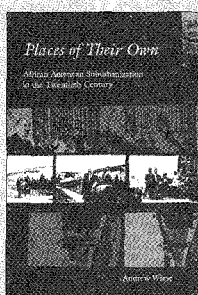
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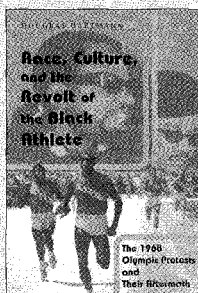
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SPECIAL REPORT EDUCATING AMERICA

Education will be a major issue in this fall's election. President Bush's marquee program, No Child Left Behind, has been widely criticized for imposing unrealistic standards on states and cities and then failing to provide adequate funds. Beyond this immediate issue lies the larger challenge of rescuing the ideal of the common school so that, well, so that no child is left behind. That project requires a national commitment of adequate resources and inventive strategies, beginning with investments in very young children who are currently not part of the education system at all.

This special issue is a joint project of *The American Prospect*, the Campaign for America's Future and the Center for American Progress.

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A National Task

Why high-quality public education is the democratic challenge of our time

BY ROBERT L. BOROSAGE

AN EDUCATED CITIZENRY IS THE HALLMARK OF AMERICA'S democracy and central to the success of its economy. That was true at the founding of the republic, when *Common Sense*, Thomas Paine's call for independence, sold 112,000 copies in three months—the equivalent of 17 million today—to the remarkably literate colonial settlers of the time. It was surely true in the last century, as America rose to prominence and prosperity. Education provided a common language and a common civic culture to the immigrants who flooded our shores. America became the first country to require 12 years of formal schooling. After World War II with the GI Bill, ours became the first nation to provide widespread college education. Integrating America's schools was central to the effort to end segregation and address the challenge of equal opportunity for all. Our commitment to education has helped to forge the broad middle class that is the pride of America's democracy and the foundation of its prosperity.

Now, as we begin a new century, America's commitment to public education faces staggering new challenges. With 53 million students and 3 million teachers in 92,000 public schools (within 15,000 districts), simply keeping what has traditionally been a locally governed nonsystem running is hard enough. The new information age and the new global economy make education—and lifelong learning—even more essential to our prosperity. A new generation of immigrants requires the schooling vital for assimilation of our language and civic traditions. As com-

munication makes the world smaller and generates a growing sophistication in packaging and propaganda, an educated, questioning, independent-thinking citizenry is even more vital to our democracy.

Americans understand this. They expect their leaders to make education a priority. They demand more from their schools. From Ronald Reagan to Bill Clinton to George W. Bush, presidents have advertised their commitment to education in their rhetoric, if not always in their budgets. And at a state and local level, parents have driven a furious debate about schools: What constitutes an adequate education? What standards should be required? How can schools be made accountable? Over the past two decades, waves of reform at the local level have implanted higher standards and provided greater resources for schools.

YET EVEN AS PUBLIC SPENDING ON SCHOOLS HAS RISEN over the last two decades, particularly at the state and local levels, the national debate about schools has been driven by a conservative mantra: Money is not the solution, something else is. Conservatives' ideological animus to public institutions makes public schools—where one in four Americans work or learn—a prime target. The exodus of whites from public schools in the South after integration and in urban areas of the North in the present day has provided opportunity for employing wedge politics against school funding. For two decades, conserva-

tives have scorned public investment in schools, offering up instead a menu of alternatives to “fix” the schools: testing, phonics, English only, prayer, vouchers, zero tolerance, phonics, ending certification of teachers. They’ve gone from demanding the abolition of the Department of Education to seeking to supplant the common public school with a “marketplace” of private institutions, all the while opposing increased investment in schools.

President Bush, who made education a centerpiece of his “compassionate” agenda in the 2000 election, embodies this conservative animus. His No Child Left Behind (NCLB) reforms impose the most ambitious federal mandates on schools since the Great Society reforms of 1965. The centerpiece is annual testing for students that is used to measure school performance. Schools that do not show improvement on the test are “held accountable.” Bush wanted to offer vouchers to parents with children in failing schools, despite the absence of evidence that voucher schools could do a better job. Stymied by liberals in this effort, Bush gained bipartisan support with a compromise: The bill provided students the right to transfer to another public school—all while promising significant new funding to pay for school improvement. He then reneged on that promise, failing to budget even the funds he promised, much less what would be needed to provide schools with the help they need. Bush actually offered Turkey more money in a bribe to get the Turks to enter the Iraq War than he was willing to provide the schools to help them meet the new mandates imposed by his own legislation.

The president has since zeroed out funding for new school construction, cut funding for teacher education and failed to extend Head Start to all children eligible, all while allowing states to siphon funds from the program. And, most destructively, the president has insisted on his entire package of top-end tax cuts, resisting all efforts to provide funds to avoid the layoffs of teachers and cutbacks in school programs that states, facing the largest fiscal crisis in 50 years, have been forced to impose. Yet Bush will campaign on this record in 2004 as an education president.

Even if Bush had kept his promise to fund his education reforms, the national debate has simply ignored the scope of the challenge we face in educating the next generation of students. The furor around NCLB has distracted Americans from what truly is at stake. Simply consider the following:

This fall, 53 million students—the largest number in our nation’s history—will attend public schools in America. Over the next decade, that number will begin to grow again, with nearly 100 million children in school by the end of the century. More and more of these students are from immigrant families, newly arrived on our shores and speaking little or no English. With one in five children raised in poverty, a significant portion come to school deprived of the healthy start vital to being ready to learn. One-third now qualify for free or reduced-price school lunches. In New York City, it is 70 percent; in Detroit, 78 percent.

These students will attend schools that are aged, overcrowded and in need of repair. America’s schools average 42 years in age, with the oldest often in the areas where the

needs are greatest. The influx of students, particularly in urban areas, has led to the doubling of classes, to half-day shifts and to the conversion of trailers, closets, libraries and gyms into classrooms. One-third of all schools now use trailers as classrooms. In 1995, the General Accounting Office estimated that it would require \$112 billion simply to bring the schools up to safe standards. A more detailed estimate by the National Education Association in 2000 included funds needed to update schools for advanced technology; it estimated the cost at \$322 billion.

These same schools now face the largest wave ever of teacher retirements, as the baby-boomers begin to leave the workforce. At the same time, the retention rates of new teachers are shockingly low, with 20 percent of new hires leaving the classroom after three years. One reason is that the pay of starting teachers is among the lowest of all professions requiring a college degree with specialized training. Since 1970, average teacher pay has risen only one-third of 1 percent a year over inflation. Now women and minorities are no longer locked out of other careers, depriving schools of a trapped labor pool that could be had on the cheap. Teacher pay lags the most in the low-income urban communities that have the greatest need for experienced, skilled and committed instructors.

As they graduate, today’s students will seek to enter colleges where tuitions and costs are rising at 14 percent to 15 percent a year. Federal grants for deserving students have not kept up with these costs, as the maximum grant now covers only 39 percent of public-school tuition, down from 84 percent in 1975–76. Students now graduate with debt burdens 85 percent higher than those of students a decade ago. And more and more are simply priced out of four-year colleges altogether. At a time when widespread college education is vital to our economy and our prosperity, our commitment to it is in question.

There is a legitimate debate about whether money is used efficiently by our schools. When more money is available, it is too seldom spent on meeting specific needs; rather, it is divided up in the same routine ways. After decades of reform fads that have come and gone, there are significant and legitimate disagreements about what reforms make a difference. But beneath the ideological posturing and legitimate debates, there is a common-sense agenda for public education.

CHILDREN SHOULD COME TO SCHOOL READY TO LEARN. That means having a healthy start, with good nutrition, health care and adequate shelter. Preschool is essential to provide the basic skills—social, cognitive and behavioral—vital to being ready for school. Children should attend schools that are safe, pleasant to be in, well-equipped, well-lit and not dangerous to their health. Schools must engage parents and ensure that they are involved and present as much as possible. Small classes seem to make a difference, particularly in early grades when individual attention can give slower starters a needed boost. With parents—both couples and single—working, rich and diverse after-school programs are both helpful to children and vital to the so-

ciety. Skilled, experienced and dedicated teachers are indispensable. They need to be well-prepared and committed to lifelong learning and retraining, and they should be rewarded accordingly. Children should know from the start that college is both expected and affordable.

These are neither new nor revolutionary concepts. They don't encompass the latest fad in high-tech education, the latest vogue of small high schools or "whole child learning." They are the basics. And yet for a dramatic and growing portion of the next generation, they are out of reach.

For that to change, Americans need to hold their public officials accountable. It has been too easy for politicians like George W. Bush to parade as education reformers while refusing to make schools a priority in their budgets, and defaulting any effort to rally the nation to make the investments vital for providing the basics to every child.

The politics of this default are poisonous. In 1972, almost 80 percent of U.S. public-school students were white. By 2002, it had fallen to 60 percent. As Bush has shown, imposing unfounded mandates on schools, railing against failing schools and proffering vouchers that weaken the schools further, all the while defaulting on the basic investments needed, may well become a staple in the wedge racial politics that is the foundation of the modern Republican Party. In 2004, the president will boast about his historic reforms. Yet he ran up deficits to pay for tax breaks for the already affluent, to add \$100 billion a year to a military budget that is now nearly as great as the rest of the world's combined,

and to spend \$87 billion to occupy Iraq and Afghanistan for one year alone. At the same time, he argued that we could not afford the funds needed to avoid debilitating cuts in public schools, much less to double the federal commitment to public schools—from 2 percent to 4 percent of the national budget—and to lead a renewed commitment at all levels to educating the next generation.

Neither our democracy nor our prosperity can easily withstand this posturing. The workers and the citizens of the next generation will necessarily come in increasing measure from today's poor and working-class children. And while the test-score gaps between white and black—and white and Hispanic—children have begun to shrink, the gulf between rich and poor achievement in schools remains enormous. If those children are not educated well, it is not simply the economy that will suffer but our democracy itself. To meet this daunting but inescapable mission, we must make a renewed commitment to public education. Those who seek to dismantle or starve the common schools should be scorned as the cranks that they are. We need to commit ourselves as a society to make available to the next generation a high-quality public education, from preschool through college. That isn't a task for the federal government alone, nor for the states or the localities. It requires new resources from every level of government. It is a task for the nation. ■

ROBERT L. BOROSAGE is a co-director of the Campaign for America's Future.



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Bush's Education Fraud

The No Child Left Behind Act is self-defeating, confusing and underfunded. If it isn't drastically overhauled, millions more kids will be left behind.

BY PETER SCHRAG

Well before he became president, George W. Bush had made his education plan, the No Child Left Behind Act, the showcase of “compassionate conservatism”—meaning, in the conventional shorthand, a conservative route to liberal ends. Its objective was

to force schools to close the huge racial achievement gaps in American education, to pay attention to the poor and minority kids they had so often neglected, and to make every child “proficient” in reading and math by the year 2014. The law’s name itself was a rip-off of “Leave No Child Behind,” the longtime rallying cry of Marian Wright Edelman’s Children’s Defense Fund. When Bush signed the legislation in January 2002, two liberal Democrats, Massachusetts Sen. Edward Kennedy and California Rep. George Miller, were the co-stars of the White House photo-op.

But in the past two years, No Child Left Behind (NCLB)—formally just an extension of the Johnson-era Elementary and Secondary Education Act of 1965, but in practice probably the most sweeping nationalization of school policy in the nation’s history—has left a lot behind, including no end of confusion, uncertainty and resentment.

The law itself, the administration’s failure to fund it as promised, and the uneven and sometimes incomprehensible way it’s been managed by the U.S. Department of Education have begun to generate so many difficulties and so much backlash, particularly among state legislators, that the program could well implode and take down two decades of state educational reforms with it. In the process, it would also end the best hope—all the law’s difficulties notwithstanding—that America’s poor and minority children have for getting better schools, higher standards and the attention they deserve.

The law’s basic objectives were simple:

- Create an accountability system of tests, graduation rates, and other indicators that would force individual schools and districts to make adequate yearly progress by raising not only school-wide test scores but the achievement levels of every major subgroup of students—African Americans, Latinos, English-language learners, low-income students, special-education students—to a state-defined level of proficiency. Schools that don’t make such progress two years running for each group in each subject and grade are to go into “Program Improvement,” which triggers an

escalating set of sanctions and “interventions,” ultimately including a state takeover until the school again makes its adequate yearly progress targets.

- Require schools and districts to issue annual “report cards,” which would provide data on the performance and quality of each school. Children in low-performing schools would be allowed to transfer to better schools (for which the district must provide transportation), and extra help would be provided for those who needed it. At heart, it meant that kids wouldn’t remain trapped in the nation’s most horrible schools. Bush wanted private-school vouchers; the public-school transfer provision is what he got.

- Provide the necessary resources, including “highly qualified teachers,” in every classroom by 2005–06. To fund those reforms, Bush agreed to a 27 percent boost in Elementary and Second Education Act funding, to \$22 billion in the first year and more in the years thereafter.

All told, it was an agenda that seemed as noble as it was political.

But the law wasn’t simple, and because its provisions were often laid on top of various state testing and accountability systems, it made things more complicated still. California, for instance, already reported each year’s test scores in grades 2–11, scores on its high-school exit exam and each school’s test-based Academic Performance Index. In addition, there are the periodically reported state breakdowns of scores on the National Assessment of Educational Progress, and the national sampling of educational achievement in major subjects, sometimes called “the nation’s report card.”

NCLB now also requires annual reporting of adequate yearly progress, plus an alphabet soup of other goals and criteria. As a consequence, parents and the public in many states receive a torrent of numbers purportedly rating school performance, few of them entirely consistent with the others and many wildly different. As Michael Cohen, who heads Achieve Inc., a business-backed group promoting higher school standards, told *Education Week*, there’s

“massive confusion, owing to the stapling together of state and federal accountability systems, and pretending we have one system.”

To make things more confusing still, in the tortured political compromises between national requirements and state prerogatives that Congress was forced to make to pass the bill, it produced a law that was at once too rigid and meaninglessly flexible. It required schools to ensure that *every* student achieve “proficiency,” yet it allowed the states to set their own proficiency standards and, within general limits—a four-year undergraduate degree, a teaching credential, subject matter knowledge—to write their own definitions of what makes a highly qualified teacher. Thus, while Michigan reported that some 1,500 schools (40 percent of all the state’s public ones) failed to make their adequate yearly progress goals in 2000–01, Arkansas and Wyoming, with lower proficiency standards, reported none. And while some states reported that more than half their teachers weren’t highly qualified—Utah reported last year that only about a third of its teachers were “fully highly qualified”—others declared that every teacher in every classroom was. And because NCLB imposes costly remedial requirements on districts with large numbers of what are officially called underperforming schools, it creates strong incentives for states with high standards to lower them.

What makes those incentives particularly intense is that in its well-meaning attempt to make sure that no school could pass muster unless every major subgroup became proficient in reading and math, Congress created very high hurdles for many schools and districts. It meant, as many school officials vehemently complained, that some of the most highly regarded schools were suddenly in jeopardy of being labeled low performing. If a school tests less than 95 percent of its children and less than 95 percent of all major subgroups in every grade—meeting those numbers is itself a huge challenge, especially in high schools, where even a 90 percent attendance rate is extraordinary—and if any of those subgroups fail to make progress in both reading and math in any two succeeding years, the school and its staff get a black mark and

go through a federally mandated shape-up program. The principal and teachers are then subject to reassignment after four years.

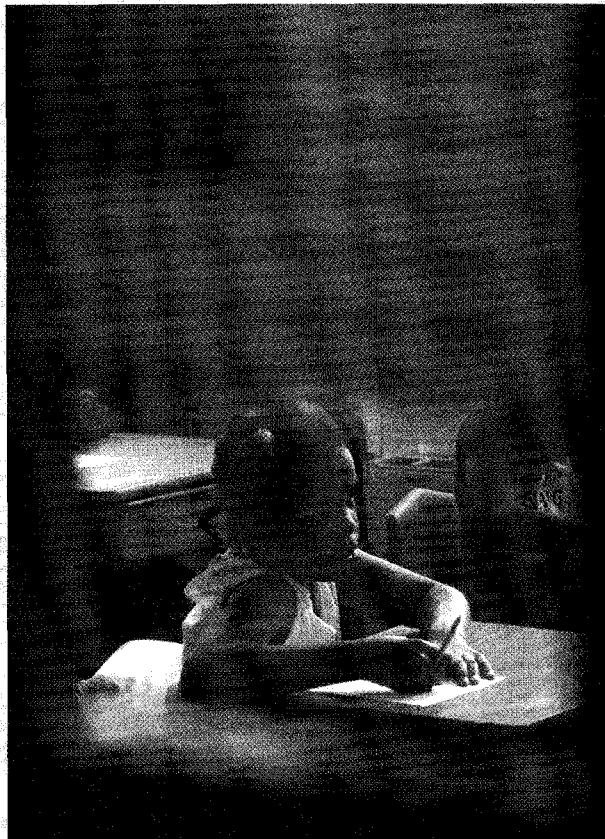
If making the grade is statistically tough for many schools with lots of minority students, it’s almost impossible in schools with large numbers of students who arrive speaking little English. Worse, for English learners, there’s a catch-22: Because those who become proficient in English—and thus do well on tests—are “redesignated” as “English proficient,” their numbers are no longer counted

in the English-learner category. California and Illinois have gotten waivers allowing them to continue to count English-learning students for three years after redesignation. But that solves only part of the statistical problem, because any school that has a rising percentage of English-learning students, as many have, will never be able to show progress in that category. “It feels like you’re being set up,” said a veteran school administrator and federal official who is now a superintendent in a large city with a mushrooming immigrant population.

Until the federal government granted districts more flexibility in December 2003, the situation was even more surreal for special-ed students, who were being given the same tests as regular students even though they are so

designated precisely because many can’t manage the pace of the normal program.

Meanwhile, the Bush administration is largely ignoring the law’s requirement that states get qualified teachers into those schools that are getting extra funding to serve their large numbers of children from low-income families. Many districts try to honor the law’s intent, but its mandate that districts put a “highly qualified” teacher into every classroom was always a little like King Canute commanding the waves to stop. Worse, despite pleas from some of NCLB’s strongest supporters, the government isn’t enforcing even those provisions of the law that require states to report on the qualifications of teachers at such schools. This “conspiracy of silence,” says the Education Trust, a private group that’s been a longtime advocate for the education of poor and minority children and that supports NCLB,



AP/WIDE WORLD PHOTO

has made that requirement nearly meaningless.

The law's mandate that students in low-performing schools be allowed to transfer to better ones has also been honored more in the breach than in practice. In many districts, particularly in rural areas, there are no convenient alternatives. In others, the schools to which students might transfer are already overcrowded. But most often, parents prefer to keep their children in neighborhood schools, regardless of the school's performance. Of the 250,000 Chicago students eligible for choice slots in August 2003, for example, 19,000 applied and fewer than 1,100 were placed in other schools.

IF YOU LISTEN TO STATE LEGISLATORS FROM BOTH PARTIES, however, the most frequent complaint is the administration's failure to honor its funding commitments. While the White House argues that school funding is up, current year appropriations for NCLB fall \$8 billion short of what was authorized by the bill. "We were all suckered into it," said Rep. Dick Gephardt (D-Mo.), who voted for the measure. "It's a fraud."

The underfunding complaints are accompanied by studies indicating that the states' costs of meeting NCLB re-

own and to establish working relationships with parents.

All of that has generated increasing levels of backlash. In at least three states—Minnesota, New Hampshire and Hawaii—legislators passed or seriously debated resolutions urging those states to withdraw from NCLB even though it means losing the federal money that's tied to it. Otherwise, said a Hawaii Democrat, NCLB is "going to label a lot of excellent schools as failing." In Oregon, Gov. Ted Kulongoski was said to be considering joining up with the National Education Association, the nation's largest teachers' union, in a suit challenging the law as an unfunded mandate.

In most states, however, there's a subtler strategy. Some have lowered their proficiency benchmarks to make their numbers look better. Among them are Michigan, which claimed it really was just making its system more realistic and comparable to other states, and Colorado and Texas, which lowered the passing score on their own tests to reduce the failure rate. Because standards vary so widely, eighth-grade students labeled proficient in Wisconsin are ranked in the 89th percentile in one national survey; a proficient ranking in Montana puts you in the 36th percentile. More pervasive still: Because NCLB says all students must be proficient by 2014, some states have drawn—and the

In state after state, the tough standards adopted in the past decade are being rolled back, deadlines are being postponed and passing test scores lowered.

quirements are running far beyond the money that the federal government is providing. In what's probably the most frequently cited report, published last year in *Phi Delta Kappan*, William J. Mathis, a Vermont school administrator, concluded that in seven of the 10 states he surveyed, school spending would have to increase 24 percent to comply with all the requirements of NCLB. According to Mathis, Texas, the largest of the states studied, would have to spend \$6.9 billion more, roughly doubling the state's school budget. "We're being asked to do more with nothing," said Bob Holmes, who chairs the Georgia House Committee on Education.

Mathis' estimates are controversial: Parsing out real NCLB cost figures is a squishy process. But there's no doubt that at a time of extremely tight state budgets, the law has, said one school superintendent, made everybody crazy. In a survey of principals and superintendents published late in 2003, Public Agenda found that nearly 90 percent regarded NCLB as an unfunded mandate. More than 60 percent said NCLB "will require many adjustments before it can work"; 30 percent said it probably wouldn't work at all. Most significantly, perhaps, the Public Agenda report noted "a noteworthy discrepancy between what NCLB calls for in terms of 'highly qualified' teachers and what superintendents and principals say they need from new teachers." Among those qualifications: the ability to maintain order and discipline in the classroom, to work with students whose background is different from their

federal government has approved—their expected lines of progress so that the biggest required gains are deferred until further out, when they rise steeply toward what's been described as a balloon payment (and when, presumably, most of today's governors, state superintendents and legislators are gone).

Not surprisingly, NCLB is reinforcing the wave of adequacy lawsuits filed by students, community activists and local districts, demanding that states provide resources adequate to the standards and high-stakes tests they've imposed. If students who fail exit exams are denied diplomas, or if teachers and administrators face sanctions for failing to meet standards, the state presumably has a commensurate legal and moral responsibility to provide the resources to allow them to succeed. A recent adequacy decision in Kansas, which ordered that state to restructure its funding, explicitly cited NCLB; so have new suits filed by school districts and others in Nebraska, Missouri and North Dakota.

More broadly, the nonpartisan National Conference of State Legislatures (NCSL) has been warning that cash-strapped states are being squeezed by their own standards, the NCLB mandates and the threat of further lawsuits. Two years ago, said David Shreve, who tracks No Child Left Behind for the NCSL, the reaction to the bill was "very positive." Then, as now, most state officials supported the testing and accountability principles; some even said NCLB was giving them "a needed kick in the butt," as Shreve put it.

But after the political costs of the long and extended battles in many other places to get all constituencies behind the states' own accountability plans—parents, the business community, teachers and administrators—many states, Shreve said, don't want to go through the process of getting their various constituencies to support another accountability system. And while the federal mandates were designed to create a single standard, what they've done is create enough confusion among different accountability measures that it could "cause the public to sour on the whole thing."

To compound the problem, neither Congress nor the administration is disposed to address the issues before the 2004 election, if then. Bush hopes to run on NCLB and doesn't want any high-profile debate about it in the meantime. And so the administration has sent out a parade of Education Department officials to laud the law as a perfect gem, to argue that funding is ample, and to brand as whiners those who want to send poor and minority kids back to what Bush called "the soft bigotry of low expectations." "For the last 25 years," said Assistant Education Secretary Laurie Rich, a veteran Texas Republican operative, at an NCSL meeting last year, "we've tried to solve problems with money alone." It was time, she said, to do something else.

FROM THE START, THE NCLB DEBATES HAVE ECHOED THE classic American ambivalence about how much schools alone can be expected to do in closing historic achievement gaps and overcoming social and cultural disadvantages. But it has also had political overtones all its own: the belief, by some on the right, that people like Sen. Ted Kennedy (D-Mass.) signed on only to leverage more money from the federal government and would be happy to let the accountability system fade away; and the belief, in some circles on the left, that NCLB, like all accountability systems, was a conservative trick to show the schools as failures and open the door for vouchers. "The president's ultimate goal," said former Gov. Howard Dean (D-Vt.), one of the Democrats who now harshly attacks NCLB, "is to make the public schools so awful, and starve them of money, just as he's starving all the other social programs, so that people give up on the public schools." Vouchers remain very much on the conservative agenda.

What is certain is that Bush regarded the widely lauded "Texas Miracle"—which, as much as anything, gave him credibility as a moderate when he ran four years ago—as a model. [See Peter Schrag, "Too Good to Be True," *TAP*, Jan. 3, 2000.] Texas had shown substantial improvements and closed racial achievement gaps on its own high-stakes tests in the 1990s. But that success had come with major costs: Dropout rates rose, teachers had to emphasize tests and drills at the expense of the broader curriculum, and school bureaucrats were involved in rampant cheating and falsification of data in places like Houston, where Paige was superintendent before Bush made him U.S. secretary of education. And students often continued to test poorly on all but the mandated tests: On its own tests, more than

80 percent of Texas students are proficient in reading; on the National Assessment of Educational Progress tests, less than 25 percent are.

The real Texas record should long have been a cautionary signal, not only for NCLB but also for the states that copied it. Now, in state after state, the tough standards so hopefully adopted in the past decade are being rolled back, deadlines are being postponed and passing test scores lowered. That's driven in part by a fear of a backlash if lots of kids or schools don't make the grade, and, in part, by shortfalls in the funding that was supposed to accompany the higher standards. If local, state and federal budgets get still tighter, the same accountability-funding nexus that was supposed to get the schools more money may well drive the standards down. It's a two-way escalator.

Kennedy and Miller both feel snookered by Bush and angrily denounced the president's failure to fully fund NCLB as another example of a White House of four-flushers who talk big dollars and deliver nickels. (Miller issues periodic "Broken Promises" reports accusing Republicans of sabotaging school reform.) But both continue to support NCLB, as do liberal groups like the Education Trust and the Citizens' Commission on Civil Rights. "The federal government," said William Taylor, a veteran civil-rights lawyer and chairman of the Citizens' Commission, "is doing a hell of a lot more for the states now than in the early years. A lot of the whining and bitching and moaning is coming from people who don't like the accountability provisions, so they're saying they don't have the money to do this."

He's at least partly correct. Through most of the nearly 40 years since the passage of the Elementary and Secondary Education Act, Title I funds were dribbled into a politically driven form of general aid instead of going to the low-income children it was designed for. Clinton-era reforms started the process of requiring schools to focus it on poor kids—children who in many places were long neglected—and use it more effectively. NCLB took that process still further in making districts and schools accountable for the achievement of those children.

Given the lack of plausible political alternatives—the fact that nothing has ever put as much emphasis on the academic success of poor and minority children—it's the only real game in town. If NCLB goes, those who'll be most hurt will, once again, be the children who can least afford it. But NCLB badly needs fixing to provide more flexibility in some areas and more rigorous enforcement in others, especially of the provisions mandating better-qualified teachers for poor children. It needs to provide more help and fewer penalties to low-performing schools. And it desperately needs to be better funded. Otherwise it will be just another in a string of hollow promises. ■

PETER SCHRAG, a longtime education writer and editor, is the author of *Paradise Lost: California's Experience, America's Future* and former editorial page editor of the *Sacramento Bee*.

The Best Investment We Can Make

Better schools won't help unless young children are school-ready. That process begins at birth.

BY AYLISH MCGARVEY

SCOTTY AND I SHARED A TABLE IN MRS. KERNER'S KINDERGARTEN class in 1984. He was the classroom's centripetal force, always drawing the teacher's attention away from the rest of us. He rarely finished even the simplest assignment, instead wandering the room or doodling on his desk. He cried easily and threw raging tantrums. Other days, he was so sleepy he laid his head on his desk and napped for two hours straight.

I didn't know it then, but Scotty was pretty much slated for failure before he ever set foot in that classroom. He lived with his mother, whose life was a series of low-paying jobs, abusive boyfriends and trailer parks. Some afternoons, long after the rest of us had gone home, Scotty napped in the nurse's office while he waited for his mom to pick him up. He often wore the same clothes for days on end, and his extreme nearsightedness, which made it almost impossible for him to read, was only discovered midyear. Not surprisingly, Scotty was held back for a second year of kindergarten.

Low-income kids like Scotty are more likely than other children to do poorly in school. Although the federal Head Start program has done an admirable job helping at-risk 3- and 4-year-olds, child-development experts now universally agree that learning really begins at birth. That means the best time to begin helping disadvantaged children succeed academically is before they enter school. But children also need the right mix of instruction: Those like Scotty also often bring behavioral and emotional problems with them to kindergarten, which impedes their learning of "hard" skills like reading and counting.

With No Child Left Behind (NCLB), the Bush administration set its sights on the hard skills of language and literacy; the President's Early Reading First program aims to have all kids reading by the end of the third grade. But the policy completely neglects disadvantaged preschool children's emotional and developmental needs. Similarly, the administration is proposing changes to Head Start, which currently has among its stated goals the improvement of children's social and emotional development. The administration would prefer that the program focus on easily quantifiable outcomes—like identifying at least 10 letters of the alphabet or associating sounds with written words—leaving kids' social and emotional needs out of the equation altogether.

The Bush approach flies in the face of myriad research findings on school readiness, which underscore the funda-

mental importance of characteristics like self-control, cooperativeness, confidence and curiosity. And it has child-development experts up in arms. "We know from almost every survey of kindergarten teachers that social competencies are critical—they are routinely ranked as most important for learning," says Robert Pianta, a professor at the University of Virginia's Curry School of Education, responding to the recent Head Start changes.

Jack Shonkoff, a pediatrician, child-development specialist and dean of the Heller School at Brandeis University, says there is "no question that social and emotional and cognitive and language development are all completely interrelated. ... The science is unequivocally clear: You can't separate these nodes of development. How young children learn to think, how they learn to read, how they learn to solve problems is as much reliant upon their social and emotional capacities as their cognitive ones. We can't tease those apart."

Shonkoff and Deborah Phillips' 2000 book, *From Neurons to Neighborhoods: The Science of Early Childhood Development*, was a federally funded research project that garnered near unanimous endorsement from an array of experts. Its findings, including the need for "[r]esources on par with those focused on literacy and numerical skills" for "young children's emotional, regulatory, and social development," are supported by many other studies.

Privately, many child-development experts believe the current administration has completely disregarded well-established science. But publicly, the research community has been almost silent on this issue. That's because political appointees sign off on funding for most of the research on children in this country, and few social scientists can afford to draw the ire of federal program officers. "This is really a top-down policy matter we're talking about here," says Samuel Meisels, president of the Erickson Institute in Chicago. "This change didn't bubble up from the research or practice."

BUT A HOLISTIC PEDAGOGY IS ONLY ONE PART OF THE STORY of school success for low-income kids; early and comprehensive intervention is the other. Innovative, high-quality programs like Chicago's Educare Center take Head Start—with its integration of parent involvement and children's health and nutrition—as a model. The Chicago program provides prenatal and family-support services for young parents, full-day, year-round child care for infants and preschoolers, and high-quality preschool instruction.

Working parents need quality child-care options, and low-income children need early exposure to learning opportunities to be ready for school. Educare meets both of these needs.

For more than 40 years the Robert Taylor Homes towered over Chicago's State Street corridor like red brick beacons of despair. Once the nation's largest housing project—as well its poorest census tract—the neighborhood was one of the city's most dangerous, with rival street gangs staging shootouts from the catwalks of the high-rise apartments. Parents routinely kept their children home from school, fearing they might be caught in crossfire.

In 1986, the Ounce of Prevention Fund, a Chicago non-profit organization, founded the Beethoven Project on the second floor of one of the Robert Taylor Homes. That program offered quality child care for infants and toddlers, full-day Head Start programs for preschoolers and comprehensive support services for parents. The Beethoven Project received national acclaim and became the model for the Early Head Start initiative, which provided education and family services to more than 60,000 infants and toddlers nationwide in 2002.

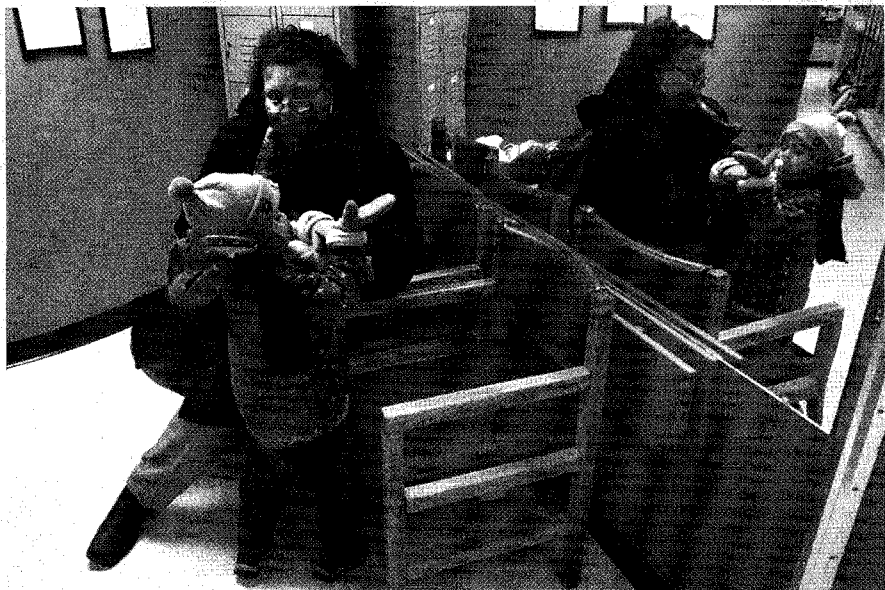
By the late 1990s, though, escalating gang warfare had made it too dangerous for the Beethoven staff to report to work. The program was ended. And today, the Robert Taylor Homes are being razed and replaced with fresh green sod, in hopes of erasing the memory of their massive failure altogether. But the Ounce of Prevention Fund is still serving the neighborhood's residents. In the shadow of one of the project's few remaining high-rises sits a row of adjoining one-room schoolhouses, each painted whimsically in pastels. This is the fund's Educare Center, created with public and private funds and the embodiment of some of the finest ideas child-development research has to offer.

The Educare model is based on the notion that earlier and stronger intervention improves children's chances of success in school. Educare's first phase is a doula (Greek for "birthing assistant") program, which enlists trained paraprofessionals from the community to provide information and emotional support to young pregnant women, who in this neighborhood are often unwed teens. (Programs like Educare deal with children at the earliest possible stage, and so don't focus on pregnancy prevention.) Doula programs have been shown to increase the rate of breast-feeding, lower the number of cesarean births, and enhance the emotional connection and secure attachment between the mother and child.

At 14, Malika Brown was not unlike many of her peers—unwed, pregnant and totally unprepared for the demands

of childhood. Her first childbirth was a harrowing experience. She didn't know her doctor, and no one coached her on breathing techniques to reduce her pain. She wasn't emotionally ready for parenthood, either: "I was 14 when I had my oldest son," she says. "I knew he was mine, but I'd always say, 'That baby is crying.' I didn't start calling him 'my baby' until he was 2."

Pregnant a second time at 18, Malika enrolled in a doula program at the Marrilac House, a social-service agency on Chicago's west side that is also run by Ounce of Prevention. There, she attended prenatal classes, and her doula helped her throughout the delivery of her second baby. After the baby was born, the doula visited Malika's home and helped her settle into her role as a single mother of two.



Aiming to provide a "continuum of care" for low-income families, the Educare Center cares for children, birth to 5, from 7 a.m. to 6:30 p.m., all year long. But child care, in its most basic sense, is only the beginning. Educare begins educating children as young as 6 weeks old. Teachers talk to infants and engage them in structured play activities to sharpen language and motor skills. Artists in residence use art and music to foster creativity. Even the restrooms encourage positive development: Long mirrors facing miniature toilets help toddlers see what they are doing as they conquer toilet training. The majority of the building is devoted to infant and toddler care, and there is one qualified teacher for every three children. In Educare, for preschool children aged 3 and 5, the ratio is 1-to-6, including a "master teacher" with graduate-level training in education. These numbers are a rarity among full-day, year-round child-care centers, although research has shown that one mark of classroom quality, particularly for very young children, is the teacher-to-student ratio.

Designed by Chicago architect Stanley Tigerman, the

Educare Center itself is a facility built to foster learning and development in a calm and enriching setting. Floor-to-ceiling windows leave classrooms awash in natural light. Classrooms, hallways and even floor tiles are color coded to encourage a toddler's sense of place in the school. Overstuffed chairs and love seats sit right inside the door of the infant classrooms, where parents can spend some time with their infants—breast-feeding or just relaxing—before leaving for the day. Glass doors connect the classrooms to one another to allow kids who have transitioned to a new room to connect with their former classroom and teacher. The objective, says Phyllis Glink, program director for the Harris Foundation, which founded Ounce of Prevention, is to build a model program for creatively mixing public and private funds. “The idea is, if you build it, and people can see it working in their community, it becomes a benchmark for what a state is capable of doing with public resources,” she says.

At 4 years old, the Educare Center is a young program. But it already has served as a model for other regions: Milwaukee, Atlanta and Omaha, Neb., are working to replicate its successes. And similar programs have proven successful in the past. Between 1997 and 2000, the Chicago Health Connection's Community-Based Doula Model (which included the Marrilac House) reduced cesarean sections by 43 percent and increased breast-feeding initiation rates for new moms by 70 percent. The Abecedarian Project, a high-quality early-education program in North Carolina, has helped foster increased education levels for participants through their high-school years, as well as higher earnings in adulthood.

PROGRAMS LIKE EDUCARE HOLD REAL PROMISE FOR children at risk of school failure. But they are not enough. “We need those programs to be situated within living communities that have progressive policies for the families of these children,” says Meisels. “No early-education program, no matter how excellent, will be able to overcome all of the insults and injuries of poverty.”

According to the National Center for Children in Poverty, 27 million children—nearly 40 percent of all kids in the United States—live in low-income families. As a group, kids are the poorest members of our society, and poverty in the early years often has dire consequences for later achievement in school.

Although a vast literature comprising pediatrics, developmental psychology and neuroscience has made clear the crucial role of infant and early-childhood experiences in later school achievement, too few low-income children receive any education before kindergarten—and they are the ones who need it the most. Impoverished parents often suffer from depression, making it difficult to reach out to children. This is important because early relation-

ships with adults are crucial for kids; by the time a child enters a classroom, experiences have taught him or her to either trust or fear adults. Low-income families also tend to live in overcrowded households and move frequently from place to place; the chaos means small children can get lost in the shuffle, and community social-service providers have a tough time keeping track of transient families. Too, parents with low levels of education use fewer words in their daily interactions; consequently, infants and toddlers have a harder time mastering the early language skills that are crucial for later literacy.

Yet in 2001, only half of 3- to 5-year-olds living below the poverty threshold attended a center-based early-childhood education program such as preschool or Head Start. Even fewer opportunities exist for infants and toddlers. And the benefits of such interventions are well-documented: When children participate in quality preschool programs, they develop cognitive, language and social skills that pave their way into elementary school. The benefits extend beyond the classroom, too: According to Arthur Reynolds at the

University of Wisconsin, every \$1 spent on high-quality early-education programs saves taxpayers \$7 in eventual special-education, crime-control and welfare costs.

NCLB assumes that all children enter kindergarten ready to learn. Indeed, George W. Bush blames schools for engaging in the “soft bigotry of low expectations” by adjusting academic standards for low-income and high-need kids. Susan B. Neuman, along with researchers nationwide, knows that those children do

need special help and can't fit into the one-size-fits-all mold NCLB requires.

Neuman, one NCLB's original architects, quietly resigned her post as assistant secretary of education for elementary and secondary learning in the Department of Education early last year. She recently called for renewed attention to quality early-childhood interventions in an article in the education journal *Phi Delta Kappan*. The seeds of failure in school, she explained, are sown long before high-risk children enter school. “It is this reality, not the rhetoric of low expectations,” she says, “that has stymied our progress in closing the achievement gap. ... It is time to recognize that, if we are not prepared to take on the unprecedented challenge to provide the highest quality compensatory programs for our at-risk children in these earliest years, we had better be prepared for the consequences later on.”

In other words, it wasn't the “soft bigotry of low expectations” that thwarted Scotty's academic success. Rather, the hard reality of early poverty made school an immense challenge for him from the very first day. Pending Head Start reforms and NCLB are not likely to give his successors any more help than he had, either.

So maybe you are not surprised: Scotty dropped out of high school when he turned 16. ■

**To thrive at school,
young children need
investments in
behavioral, social
and language skills.**

Testing Our Patience

Standardized tests have their uses. But current federal law uses testing to destroy learning.

BY RICHARD ROTHSTEIN

STATE AND FEDERAL LAW ASSUME THAT THE QUALITY of public education can be gauged by the number of students who reach the “proficiency” mark on a standardized test. Indeed, the federal No Child Left Behind (NCLB) law provides serious penalties for schools that fail to make sufficient annual gains in these numbers. It is a terribly misguided policy.

But the problem is not, as some critics argue, that all tests are invalid. Standardized tests can do a good job of indicating, though not with perfect certainty, whether students have mastered basic skills, can identify facts they should know or can apply formulas they have memorized. Such tests have a place in evaluating schools, as they do in evaluating students. However, they are of little use in assessing creativity, insight, reasoning and the application of skills to unrehearsed situations—each an important part of what a high-quality school should be teaching. Such things can be assessed, but not easily and not in a standardized fashion.

To judge schools exclusively by their test results is, therefore, to miss much of what matters in education. Relying on proficiency benchmarks makes things even worse. NCLB requires that every public-school child in grades three through eight be tested annually in reading and math (and within a few years, periodically in science). The law requires every school to report the percentage at each grade level who achieve proficiency and, separately, the percentage of each racial and ethnic minority group and the percentage of low-income children who achieve it. If every grade and subgroup does not make steady progress toward the national goal—the proficiency of all members in each subject by 2014—the penalties kick in.

But what exactly is “proficiency”? The new testing law models its definition on the one used by the National Assessment of Educational Progress (NAEP), a set of federal exams in a variety of subjects given to a sample of students nationwide. The NAEP tests such a broad span of skills that each test-taker can be asked only a small share of its questions, and the test results must be aggregated to generate average performance numbers. The NAEP then describes these group averages as either “below basic,” “basic,” “proficient” or “advanced.” Panels of citizens decide where the lines between those categories should be drawn.

Proficiency, in other words, is not an objective fact but a subjective judgment. And the NAEP judgments have

not been very credible. The NAEP finds, for example, that only 32 percent of eighth-graders are proficient in reading, and only 29 percent are proficient in math—seemingly a national calamity. But international tests show that no country in the world has high proportions of its students close to proficiency as defined by the NAEP. If most students in the United States or elsewhere in the world have never been proficient in this sense, how meaningful is it that less than a third of American students are now meeting this target?

In 1993, shortly after the federal government first began reporting scores in terms of proficiency, the General Accounting Office (GAO) charged that the government had adopted this method for political reasons—to send a dire message about school achievement—withstanding its questionable technical validity. Confirming the GAO’s conclusions, a National Academy of Education report found that the NAEP’s definitions of achievement levels were “fundamentally flawed” and “subject to large biases,” and that U.S. students had been condemned as deficient using “unreasonably high” standards. A National Academy of Sciences panel rendered a similar judgment.

Nevertheless, under the new federal law, each state must now set its own proficiency standards, and the states are using methodologies similar to the NAEP’s. The consequences have often been ludicrous. New York state had to cancel the results of its high-school math exam when only 37 percent of test-takers passed, down from 61 percent the previous year when the curriculum and instructional methods were similar and proficiency was supposed to be defined in the same way. On Massachusetts’ state science exam in 1998, only 28 percent of eighth-graders passed the proficiency point; yet on an exam administered internationally, Massachusetts students did as well as or better than students anywhere in the world except Singapore. On the other hand, on Texas’ reading exam, 85 percent of fourth-graders passed the state-set proficiency point while the NAEP found that only 27 percent were proficient. The setting of proficiency levels by different groups of panelists is open to almost unlimited variation.

This creates a further absurdity, if school evaluation is the goal: A state’s proficiency definitions can be—and given the penalties in NCLB, they increasingly will be—watered down to the point that all children can achieve them with little improvement in instruction. Some states have already begun this process, deciding that what they

previously had defined as failing will now be considered proficient. Other states have bet that the new federal law is so unworkable that it will be repealed. These states have therefore decided not to do anything for now about schools that make very slow progress toward proficiency—and not to worry about the inconceivably spectacular improvements those schools will have to make just before 2014, if the law remains in effect.

The federal law was intended to raise student achievement to high standards. But its incentives are functioning instead to lower state sights to existing levels of student achievement.

THE NEW LAW'S INCENTIVES ARE DISTORTING TEACHING as well. Rational teachers in many states have begun to focus most of their attention on those students who are just below the proficiency point, because only their improvement is rewarded in the accountability system. Imagine a class with some students who score well below the proficiency point, some close to it and some well above. It makes no sense to waste instructional time on the high-scoring students, and little sense to waste much of it on the low scorers. The most surefire way to show annual progress and avoid sanctions is to aim for a small improvement, which is all that's necessary, from the nearly proficient group.

The teachers are not being irresponsible; rather, the federal incentives are accomplishing what they were designed to do. Framers of the law—not only the Bush administration but also Democrats led by Massachusetts Sen. Edward Kennedy and California Rep. George Miller—relied on the fact that school leaders, from superintendents to teachers, are more likely to achieve a goal if there are serious penalties for not doing so. But that's the problem. When planners try to manage complex systems that have multiple goals by setting quotas only for the most easily quantifiable of those goals, the incentives distort the output.

It is not the states' official intentions that get watered down. States have mostly complied with the law's requirement that they promulgate high standards. But their tests, which state education officials claim are "aligned" with these standards, point teachers in quite another direction.

True alignment of tests and standards has two parts. First, every test question must assess a skill that is actually included in the standards. This kind of alignment mostly does exist. But just as important, every skill included in the standard must be assessed—either by tests, student work samples or other evaluations—and each skill should have the same relative weight in the assessment system as in the standards. This is not happening.

Consider a typical elementary-school reading standard, common in many states, that expects children to be able to identify both the main idea and the supporting details in a passage. There is nothing wrong with such a standard. If

state tests actually assessed it, there would be nothing wrong with teachers "teaching to the test." But in actuality, students are more likely to find questions on state tests that simply require identification of details, not the main idea. For example, a passage about Christopher Columbus might ask pupils to identify his ships' names without asking if they understood that, by sailing west, he planned to confirm that the world was spherical. In math, a typical middle-school geometry standard expects students to be able to measure various figures and shapes, like triangles, squares, prisms and cones. Again, that is an appropriate standard, and teachers should prepare students for a test that assessed it. But, in actuality, students are more likely to find questions on state tests that ask only for measurement of the simpler forms, like triangles and squares. It is not unusual to find states claiming that they have "aligned" such tests with their high standards when they have done nothing of the kind.

At first glance, it may seem that such fudging is harmless. Until students are proficient on a basic skills test, some people think, there is no point in wasting time on higher skills. But effective teaching requires that basic and higher skills not be taught sequentially but simultaneously, so they can reinforce each other. With the Columbus passage, a child need not be able to recall every detail before he or she is taught how to summarize the theme of the passage. In math, students who are learning to add, subtract, multiply and divide may still make errors when they perform these operations. But while continuing to practice these basic skills, they should also be learning more difficult topics. If students are given tests that ask for little but basic arithmetic skills, their teachers are unlikely to spend much time teaching algebra. State policy-makers may conclude from rising test scores that students are closer to meeting high standards, but those policy-makers would be wrong.

The same distortion may explain why the current school-reform movement has had some success in narrowing the achievement gap between disadvantaged and middle-class children at the lower grades, only to see the gap widen as children grow older. The pattern may simply reflect the fact that testing (and, therefore, instruction) in the lower grades is increasingly concentrated on basic skills, which are relatively easy—with enough drill—to impart. But such instruction may leave students unprepared for curricula in the upper grades, where tests cannot continue to exclude more advanced skills without looking ridiculous.

ONE FURTHER PROBLEM MAKES A FOLLY OF THE NEW system, and that is its inaccuracy. Tests, considered by themselves, are not reliably precise even as indicators of the skills they do assess. Yet if schools are to be held accountable for their test results, precision is what's needed. A school either meets its required mark or it does not.

The law rewards teachers for coaching students to minimal levels of proficiency.

Most people understand that a single annual test should not be the exclusive means of evaluating a student, because performance can vary—even if only a little—from day to day; students have their good days and their bad.

School-wide tests should be somewhat less unreliable, because when some students have bad days, others have good ones. If these average out, test-based accountability should work. But statisticians can show that for test scores to average out accurately enough for us to know what proportion of a grade's students have passed a precise proficiency point, very large populations are required, much larger than the grade cohorts in typical schools. In reality, school averages, like student scores, wobble around their true values. Year-to-year changes in school averages are even less reliable. By sheer happenstance, there might be higher-ability students in the fourth grade one year than the next. A rainy day could affect student dispositions. Test-takers might be distracted by a barking dog one year and not the next. The effects of such events could be tiny, yet in the new federal system, schools are sanctioned based on incremental changes in their annual performance scores.

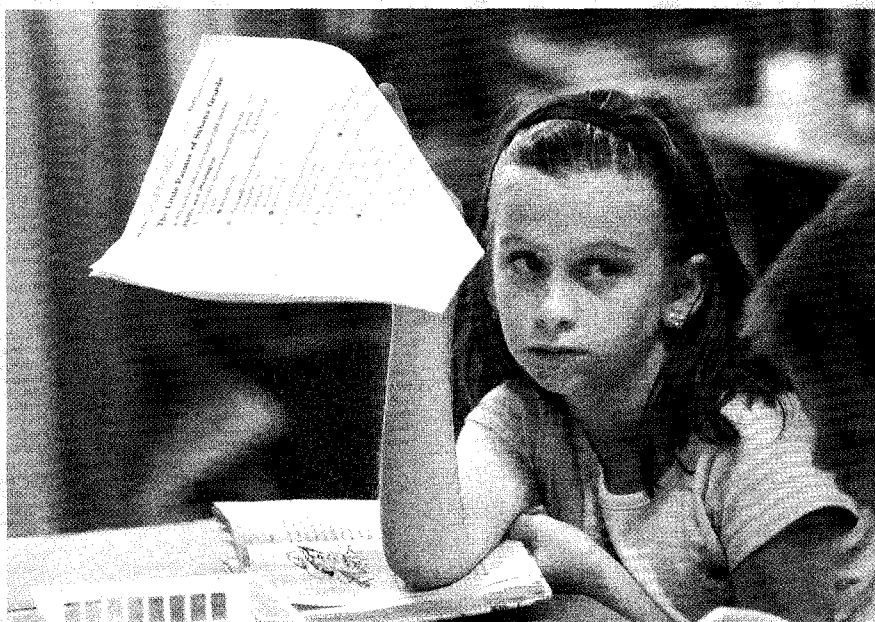
The statistical problems are exacerbated because of the law's laudable intent of holding schools accountable for the learning of minority groups within a school. Because subgroups have fewer students than the school as a whole, minority scores are even more inaccurate. A perverse consequence is that the more integrated a school, the more likely it is to be deemed failing.

In the summer of 2001, when the Bush administration and Congress were designing NCLB requirements, two econometricians—Thomas Kane, who now teaches at the University of California, Los Angeles, and Douglas Staiger at Dartmouth College—circulated a paper showing that the proposed system would result in many of the wrong schools being rewarded or punished solely because of these statistical sampling problems. The paper was so persuasive that the introduction of the bill was held up for several months while administration and congressional experts tried to solve the problem. They couldn't. But they introduced the bill anyway, and the result has been some remarkable anomalies: schools rewarded one year and punished the next with no underlying change in teaching effectiveness; schools rewarded under a state's system and simultaneously punished under the federal one. Such arbitrariness undermines the incentive system itself.

CAN ALL THIS BE FIXED? NOT IF WE INSIST ON A MECHANISTIC system that allows federal administrators to judge whether schools are successful or failing simply by ex-

amining data reports from annual tests.

A good accountability system would not exclude annual testing. Although there would be a lot of randomness in the results, slow progress or low scores for any school or group within it should be a red flag, inviting further scrutiny. But a fair and accurate accountability system has to include more than just standardized tests. It has to include the judgments of experts who visit schools, review student work and projects, evaluate the quality of curriculum and teaching, rate school climate and spirit, draw conclusions about the effectiveness of school leadership, and make determinations about whether school resources are being devoted in a balanced fashion to all the goals we have for schoolchildren—both those that are easily testable and those that are not.



There are models for such an accountability system. It is, for example, how we accredit hospitals in this country (we don't rely exclusively on death rates or length of patient stays). It is also similar to the system used in Great Britain for evaluating schools. Prior to NCLB, there were a few state and local experiments with systems using multiple measures of school success. But now federal law, motivated by a deep contempt for public education, seeks an accountability system that is teacher-proof, principal-proof, superintendent-proof and even governor- and legislature-proof.

The NCLB system cannot survive until 2014, when its proponents expect all students to be proficient. Long before then, probably when most schools in the country have been defined as failing even by diluted definitions of proficiency, the system will collapse of its own internal contradictions. In the meantime, it is doing great and needless damage. ■

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The Weakly Standards

One teacher's losing fight with high-stakes, low-logic testing

BY EMMET ROSENFELD

WHEN STANDARDS OF LEARNING (SOLs) FIRST APPEARED in my Northern Virginia public-school classroom nearly seven years ago, they were hardly more than a lunch-table punch line—another unfortunate abbreviation coined by board-of-education bureaucrats to browbeat our low-achieving, high-minority school. SOLs constituted a body of knowledge that students would learn in each academic subject. The initials became the sobriquet for both the curriculum and a test that, after a phase-in period of six years, kids would have to pass in core subjects by 2003 in order to graduate. Sometime after that, the state promised, schools' accreditations would be at stake.

Along with 97 percent of those tested in Virginia, our school failed that first year. The old guard didn't panic: SOLs, too, shall pass, they assured us, just like the "open" classrooms of the 1970s and—I raised my eyebrows here—multiculturalism.

Turns out, SOLs didn't go away. What started as a solution to improve schools became the basis for a long-running educational Red Scare. Virginia's get-tough test reflected a national trend toward standards spawned by the sky-is-falling 1983 report "A Nation at Risk." Today, SOLs are being used to satisfy that report's successor, the No Child Left Behind policy of George W. Bush.

I began teaching in one of these perennially low-scoring schools in 1993, three years before SOLs. I taught learning-disabled kids, then English as a second language (ESL), then "regular" classes and eventually in an International Baccalaureate program. I can trace my evolution—from a creative young teacher to one straightjacketed by SOLs—through the strata of marbled composition books stacked in my shed. The first notebook records my efforts with learning-disabled kids who weren't much for reading the history of American westward expansion. Crude sketches bring back the eureka moment when we went outside to the baseball infield, tacked chicken wire on plywood and piled on some sod, making pretty good replicas of 19th-century prairie dwellings. Presto. My nonreaders were transported somewhere their history books could never take them.

In spring 1995, I was teaching ninth-grade ESL students to write business letters. Instead of "Dear Sir or Madam" practice letters, we wrote to embassies asking for flags that represented our class' diversity. Pakistan, China and Saudi Arabia were the first to oblige. The apex came at an end-of-year assembly, at which 58 flags, each born by a na-

tive, were marched into the field house to the strains of a xylophone and the student body's enthusiastic applause.

By 1997, Gov. George Allen (R-Va.) had drawn up plays for SOLs. Our hard-won flags hung limp in the school library, but I was still trying to focus on kids, not scores. By winter 2003, the SOLs had won. From Jan. 10 is a "writing" assignment where kids sketched icons to represent each "feature"—central idea, organization, unity—within three categories on which their SOL compositions would be graded. The features themselves made perfect sense. What didn't was the shortcut method of instilling them. "Unity"

holds little meaning for a writer who hasn't wrestled to achieve it over more than a couple of quick practice tests. And ever more frequent SOL "reviews" consisting of multiple-choice questions had all but wiped out the in-class writing that had been the basis of my class.

From Jan. 23, there is a page of questions from an SOL practice test. In this one, an apocryphal Karl had been studying the Roaring '20s and needed to write an essay on the Harlem Renaissance. The tests asks,

"Which sentence best begins his paper?" and the kids choose from a few prefab options instead of writing their own. Ironically, Karl's paper would never have existed in our own class: The kids told me their history teacher had "skipped" the 1920s because that decade wasn't an SOL item.

Finally, at the end of last year, I decided that if SOLs weren't leaving, I was. After a decade of teaching, I took a post in a private school. Fans of standards might argue that my evolution from a neophyte desperate to reach kids to a seasoned professional harnessing his creativity in the service of a more disciplined curriculum is exactly the desired result. Indeed, I am pleased that 96 percent of my students last year passed the SOL test. Our kids didn't get smarter, over the past seven years. But my colleagues and I did. We're crackerjack now at teaching to that test.

What I am even more pleased about, though, is that this year at my new school, 100 percent of my students won't have to take SOLs. And I can't wait for spring: When we study the Chesapeake Bay, we'll be building canoes. My greatest regret is that the students I left behind don't have the luxury of opting out of the high-stakes tests, too. ■

EMMET ROSENFELD teaches eighth-grade English at Alexandria Country Day School in Alexandria, Va.

Our kids didn't get smarter, though my colleagues and I got better at teaching to the tests.

Saving Black Boys

The elusive promises of public education

BY ROSA A. SMITH

IN THE SUPREME COURT'S 1954 *BROWN V. BOARD OF Education* decision, Chief Justice Earl Warren wrote, "Today, education is perhaps the most important function of state and local governments ... it is a principal instrument in awakening the child to cultural values, in preparing him for later professional training, and in helping him to adjust normally to his environment ... it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education."

Among the many children in America who are at risk and likely to lack success in school—most often because they lack authentic educational opportunities—the African American male student stands alone in terms of the accumulation of negative factors affecting his future. The evidence is startling, and the sum of all these negative factors alarming.

Special Education: Black boys in 2000–2001 made up 8.6 percent of national public-school enrollments. They constituted 20 percent of those classified as mentally retarded, 21 percent of those classified as emotionally disturbed, 12 percent of those with a specific learning disability and 15 percent of those placed in special education. Twice as many black boys are in special education as black girls, a fact that rules out heredity and home environment as primary causes and highlights school factors.

Expulsions and Suspensions: Despite representing only 8.6 percent of public-school enrollments, black boys comprise 22 percent of those expelled from school and 23 percent of those suspended.

Dropouts: While between 25 percent and 30 percent of America's teenagers, including recent immigrants, fail to graduate from high school with a regular high-school diploma, the dropout rate for African American males in many metropolitan areas is 50 percent.

Graduation Rates: Nationally, 50 percent of black males (as compared with 61 percent of black females, 80 percent of white males and 86 percent of white females) receive diplomas with their high-school cohort. In some urban districts, 30 percent of black males are in special-education classes, and of the remaining 70 per-

cent, only half or fewer receive diplomas.

Juvenile Incarceration Rates: For whites under 18, 105 out of every 100,000 are incarcerated; for black youths the rate is three times as high, 350 per 100,000. More black males receive the GED in prison than graduate from college.

Unemployment: According to the 2000 census, the percentage of black youths 16 to 19 neither employed nor in school was 24.7 percent, nearly twice the national average for this age group and six times the national unemployment rate.

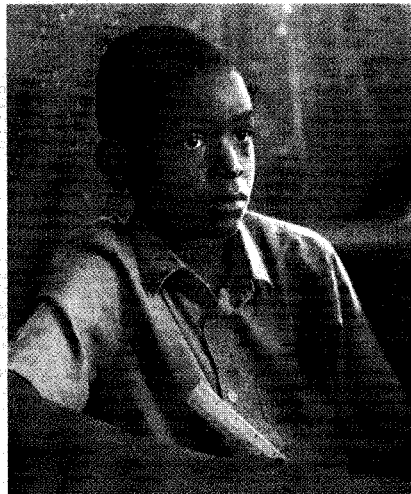
As a society, we don't like to talk about the magnitude of this failure. Ted Sizer, founder of the Coalition of Essential Schools, speaking at an Educators for Social Responsibility meeting about America's most vulnerable students, asked, "Why are we so silent on these questions? ... Why is the silence so pervasive?"

Throughout America, there are in fact schools that enable African American boys to succeed. But they are isolated, and there has been no national commitment to bring high-quality education to all children. Ronald

Edmonds, founder of the Effective Schools Movement, observes, "We can, whenever and wherever we choose, successfully teach all children whose schooling is of interest to us. We already know more than we need to do that."

We must acknowledge this national problem and commit to the long, and likely painful, journey toward a positive future for African American boys. Though flawed in significant and improvable ways, the stated intent of the No Child Left Behind Act (NCLB) is commendable. It should be revised and fully funded to ensure success. Many educators of color support NCLB as a means—perhaps the only current systemic means—to ensure that black boys will not be left behind.

More fundamental even than NCLB, though, is the undisputed research about the benefits of early childhood education and what it means to the probability of success in school and life. Analyses by RAND of one preschool project after another—including the Perry Preschool Project, Abecedarian Project and Chicago Longitudinal Study, among others—confirm these benefits of quality early childhood education: less grade retention, less need for



special education and increased high-school graduation rates. These results were especially significant for African American students, who all too often arrive at the kindergarten door with severely inadequate school readiness.

There are many examples of excellent educational outcomes for vulnerable children in general, and black boys in particular. These examples demonstrate that adequate financial resources combined with adults who hold themselves accountable for student success do produce high-level results for students most at risk of academic failure. Project GRAD (Graduation Really Achieves Dreams), which began in the Houston public schools, is now being implemented in several urban school districts. It takes a student from kindergarten through high school and ensures consistent and rigorous math, reading and behavior decision-making instruction from highly trained teachers, then rewards graduates with college scholarships.

Carlton Jenkins, principal at Linden McKinley High School in Columbus, Ohio, used Project GRAD to lead a renaissance of what was once the worst-performing high school in the district. Between 1998 and 2003, the following improvements resulted in McKinley High being nominated for the National Association of Secondary School Principals' Breaking Ranks Award:

- Enrollment increased by 25 percent;
- Graduation increased by 100 percent;
- Out of school suspensions declined by 81 percent;
- Expulsions declined by 59 percent;
- Mobility declined by 73 percent;
- The school went from meeting no state standards to meeting the reading and writing standards; and
- It went from no students in advanced-placement courses to 286 students in advanced courses.

Jenkins values the additional resources, the curricula (specific reading, math and behavior programs) and college scholarships that come with the implementation of Project GRAD, but he believes that it takes that and much more to maximize the potential of black boys. Core to the growing McKinley High success, Jenkins says, is building trusting relationships with students and those who teach and support them. According to Jenkins, developing the staff's teaching ability and fostering positive attitudes about black boys is essential, and he credits that change to the dramatic reductions in suspensions and expulsions that account for more learning opportunities. Visiting classrooms each day and attending student functions are part of Jenkins' routine to ensure that academic expectations permeate the entire school community. Jenkins is known for telling his staff and students, "Failure is not an option at LMHS!"

Another example with demonstrated results is the Institute for Student Achievement (ISA). Over its 13-year history, ISA schools have demonstrated remarkable results for African American students. In places like Roosevelt and Hempstead high schools on Long Island and Benjamin Banneker and Park East high schools in New York City, the results have been extraordinary. About 95 percent

of the ISA students complete high school, and more than 85 percent were accepted to college. ISA's success record is largely due to its approach of identifying a group of ninth-grade students at risk of academic failure and becoming dropouts, then working with this group over a sustained four-year period to improve academic performance. Through specialized counseling, extended learning, parental engagement, college-preparatory activities and other supports that help students master a rigorous academic curriculum, the students respond and succeed.

Last Sept. 22, "J.," a black Roosevelt High senior, responded to the question, "If I were in charge, what would I do to ensure a positive future for black boys?" J. told an audience discussing how to improve school results for poor students, "I would never have been planning on attending college without this program ... maybe I would have gotten messed up with a bad crowd and not even graduated—or worse. All kids need what we have at Roosevelt!"

These two highly successful examples clearly demonstrate the necessary intersection among three critical factors: qualified and motivated staff, leadership committed to improving the academic achievement for all students, and funding adequate to ensure that poor and challenged students will succeed academically at a high level. If these schools can succeed, there is no excuse for any school to fail.

Adequate financial resources continue to be a huge challenge. There are promising lawsuits on equal funding in New Jersey, Kentucky, Maryland and New York. But it will be incumbent upon local communities to actively express their intolerance for the failure and exclusion rates associated with African American male students. At a more systemic level, school districts such as the Boston, San Diego and Richmond, Va., districts have made significant academic progress for all student groups. State accountability test results show significant improvement rates for African American and Hispanic students in those districts led by stellar and determined superintendents. In Boston, for example, the black-white graduation gap has narrowed to 8 percent for African American boys, and the graduation rate for African American girls is actually higher than that for non-Hispanic white girls. The evidence thus shows that large urban systems can change course and reverse the downward spiral of school failure for students.

The promises of public education and freedom remain elusive for black boys. Slowly, positive steps are creating a cautious faith in our will to ensure that this group of students will not waste away due to the public's silence. We, the public, have choices to make about who gets to receive a quality education, who benefits from the promises of public education, who enjoys optimal freedom in America and who does not. For the sake of black boys and other vulnerable students, we must make the right choices. ■

ROSA A. SMITH, formerly superintendent of the Beloit, Wisconsin, and Columbus, Ohio, public-school districts, is president of The Caroline and Sigmund Schott Foundation and The Schott Center for Public and Early Education.

The Verdict on Vouchers

Funded by the right and lent credence by the Harvard name, a series of studies were aimed at proving the worth of school-voucher programs. The irony? The numbers simply don't add up.

BY MATTHEW YGLESIAS

SCHOOL VOUCHERS ARE UNCOMFORTABLE FOR MANY liberals. Potential worries abound: Such programs could constitute massive de facto government financing of religion; they could also strip public schools of vital resources, and leave them stuck with the hardest-to-teach children while private schools skim the most promising students. Any large-scale voucher program, moreover, would inevitably wind up giving money to parents who would have enrolled their children in private schools anyway, thus depriving the public sector of funds in order to subsidize relatively affluent parents.

The alternative—systematic improvements of public education, perhaps combined with public choice via a system of secular charter schools—seems much more appealing. But it would take a lot more time than vouchers, which could help significant numbers of the neediest children right now instead of making them wait for a hypothetical overhaul of the country's education system.

It's a tough dilemma, and one can see why conservatives delight in forcing liberals into facing it. You'd think they might win on this point. The only problem is that the best research available—largely conducted by conservative voucher advocates—indicates that this widespread faith in vouchers simply isn't warranted.

No man alone is responsible for the state of misinformation on the subject, but if you had to pick one, Paul Peterson would be a good choice. A professor of government at Harvard, Peterson heads that university's Program on Education Policy and Governance (PEPG) from which vantage point he and his colleagues put out paper after paper cheerleading for the school-choice movement. While Peterson's title and appointment give him the appearance of being just another social scientist, the center's most recent annual report tells a rather different story, with Peterson hailing the U.S. Supreme Court's *Zelman v. Simmons-Harris* decision, giving the go-ahead

to public funding of religious schools, and the No Child Left Behind Act as "giant steps forward," noting that the "PEPG has contributed to this forward march" and stating clearly its intention "[t]o help the forward movement."

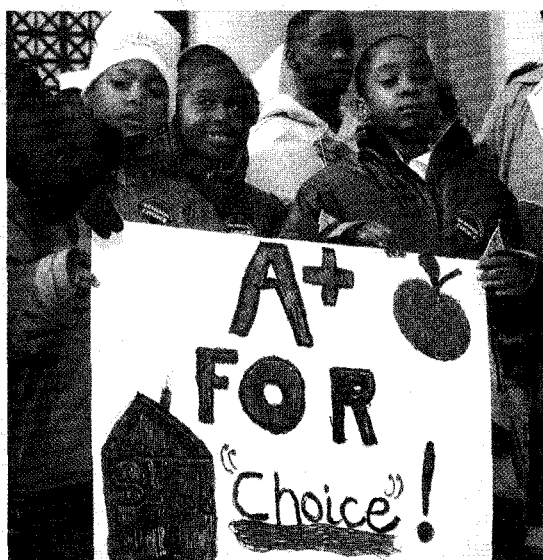
This is not the typical rhetoric of a sober researcher, and, indeed, a look at the PEPG's finances reveals that much of its money comes from organizations like the Olin,

Bradley, Friedman and Walton foundations, which largely fund the right's network of political think tanks and advocacy groups. Harvard is, therefore, in essence acting as a credibility launderer, taking ideological money in exchange for lending its famous name to advocates for conservative causes.

To this end, and apparently motivated by the faith of a true believer, Peterson spent several years around the turn of the millennium conducting the best-designed experiments out there on the efficacy of school vouchers. Where liberals may have feared to tread, perhaps

worrying that the results would undermine their case, Peterson stepped boldly into the breach. Programs in New York City, Washington, D.C., and Dayton, Ohio, that provided vouchers to low-income students via a lottery system create an ideal opportunity for study, similar to that used in random-assignment medical testing. By comparing outcomes for students who received vouchers with those of students who applied but lost in the lottery, one can obtain a truly valid comparison between two otherwise identical groups of low-income children.

These were, by all accounts, well-designed experiments, providing the right with its best opportunity to make its case. But unfortunately for Peterson, the data didn't come out right, so he had to spin instead. The best Peterson's team was able to claim in terms of academic achievement for the Dayton results was the presence of gains that fell just short of statistical significance. When the analysis of these data was completed in 2001, it was possible to portray these results



as consistent with earlier, more robust findings, and to fudge their actual inconclusiveness.

The data from Washington, however, was a bit odder. The first two years of the study indicated some test-score gains for African American students, which were publicized in papers released by the PEPG in 2000 and 2001 and cited by many conservatives, including Undersecretary of Education Eugene Hickok in congressional testimony last May. The gains, however, disappeared, and, in fact, became declines in year three, a fact that's been little noted—perhaps because Peterson pretty much buried the third-year results in a rather technical pro-vouchers 2002 book—*The Education Gap: Vouchers and Urban Schools*—that he co-wrote with William Howell, rather than touting them to journalists and policy-makers.

Only in New York did his results support the notion that vouchers can improve educational performance, especially for African Americans. (This despite Peterson's claims, in *The Education Gap*, that he found "similar results" in all three cities studied.) The New York results first became known to the general public in the midst of the 2000 presidential campaign, as Peterson made a number of TV appearances and a barrage of conservative columnists claimed that the study proved that anti-voucher Al Gore was more interested in toadying to teachers' unions than helping black kids. Peterson was distinctly less interested in publicizing the survey's more important conclusion: that in the aggregate, students as a whole did no better with vouchers than without. Nor did he make much of the striking fact that Hispanic students, those among the sample who had even worse academic performance than African Americans, did somewhat worse with the vouchers.

At a news conference last summer, Peterson proclaimed the data on black performance "the most significant finding" in his research, and as a propaganda point it certainly is. But it's hard to see what the policy implication of the study taken as a whole is supposed to be. As David Myers of Mathematica Policy Research, a well-respected company that conducted the research in partnership with Peterson's group, points out, "[B]ecause we don't have a good explanation for why we would see [improvement with vouchers] for one group and not another, it's too soon to make policy out of it." Myers put out a statement to that effect in the wake of Peterson's release of the results, but his conclusion was largely lost in the ensuing media hype. The point, however, is an important one, as the federal government is not in a position to implement a racially discriminatory vouchers policy. What would be needed to turn Peterson's results into viable policy is a good theoretical explanation of why vouchers were especially useful to African Americans. If we knew that, we could target a program at anyone, of any race, for whom vouchers would likely prove useful.

WHILE PETERSON SOLDIERED ON UNDETERRED, PRINCETON University's Alan Krueger found this racial disparity curious, and he received permission from Mathematica to examine the original data. "To the extent that they made a theoretical argument," Krueger explains, it was that residential segregation lay at the heart of the differential outcomes. African Americans and Hispanics tend to live in different neighborhoods and thus attend different schools, making it plausible that some important difference in the schools could explain the result. Upon further examination, however, neither Krueger nor Myers nor anyone else has been able to substantiate the conjecture that improvements in test scores are correlated with race and not with any characteristic of the schools.

As Krueger inquired further, another hypothesis came to mind. "From afar, one couldn't hope to find better research" than Peterson's, he said, but "when you start to dig into it, there were some mistakes that were made." Notably, Peterson had excluded from analysis those students—around 40 percent of the total—for whom "baseline" scores were unavailable on standardized tests taken before the lottery was held.

The whole point of using a truly random sample, however, is that you don't need this kind of information. As none other than Peterson himself wrote in 1996, "Analysis of randomized experimental data does not require controls for background characteristics or test scores." The students Peterson included in the study, in other words, were essentially an arbitrary subset of the appropriate sample, and in statistics it's always possible to find some such arbitrary subgroup within which the desired hypothesis holds true.

When students with missing baselines are added back in, however, the extent of the gains drops to the margins of statistical significance—not a sufficiently robust result to use as the basis of policy. Controlling for a few additional variables caused the effect to disappear altogether.

Peterson's conclusions also turned out to have been based on a questionable definition of race. While the U.S. government classifies people as black, white, Asian, Native American or some mixture thereof, then asks a separate question regarding Hispanic ethnicity, the New York experiment asked people to classify themselves as either non-Hispanic white, non-Hispanic black or Hispanic. Following the literal instructions, therefore, many who regard themselves as both black and Hispanic would be classified only as Hispanic—an important fact given New York's large Dominican population. The racial identity of the children being surveyed was, moreover, simply inferred from the mother's answer to the race question, meaning that mixed-race children with African American mothers were counted as black while those with African American fathers were not. For his critique of Peterson's analysis, published in late 2002 with colleague Pei Zhu, Krueger broadened the sample of African American children by adding those with black fathers to the group and classifying people who had

Widely ignored: The early gains of voucher students became declines by the third year.

indicated both African American and Hispanic identity as belonging to both ethnic groups, rather than neither, as Peterson's analysis had done. Again, the effects disappear.

Given the absence of a theoretical explanation for the result, the fact that it all but vanishes once the missing baseline students are added in, that it totally collapses in the face of an alternate account of race and that it is not corroborated by similar experiments in other cities, it seems right to conclude that we have on our hands a simple statistical fluke rather than an important empirical insight. It turns out, moreover, that the shakiness of the racial analysis was caused, in part, by the fact that the study was initiated without any intention of breaking the subjects down by race, leading to the possibility that Peterson was "specification searching"—rummaging through the data in hopes of finding any possible analysis that would support his policy agenda.

Peterson denied such charges in a published reply. (Despite his earlier hunger for press, he declined to be interviewed regarding this controversy, deflecting the *Prospect* to his published work.) His behavior since his work began to come under attack, however, fails to inspire confidence. Along with co-author Howell, he has refused to release the data from the Dayton and Washington experiments to outside scrutiny, and in an initial reply to Krueger tried to pass off statistically insignificant correlations as meaningful findings, misstated the Office of Management and Budget's guidelines for collecting data on ethnicity, misrepresented his initial research proposal and continued to selectively ignore the third-year findings from the Washington experiment in favor of the more positive results from the second year.

THERE'S A RATHER DELICIOUS IRONY IN ALL THIS. CONFIDENT that the facts would support its case, the right boldly organized and financed a well-designed experiment to assess the impact of vouchers on student achievement only to discover that they didn't help. Even leaving aside questions about the integrity of Peterson's analysis, according to his own interpretation of the data, vouchers don't help poor children as a whole do better in school. This conclusion is also supported by a four-year study commissioned by the state of Ohio of the Cleveland voucher program. At best, there is a positive impact on African Americans that is not strong enough to improve overall performance once all racial groups are taken into consideration. This result runs contrary to the intuitive idea that private schools must be better than public ones (or else no one would pay to send their children there). That's because not all private schools are elite institutions like Andover or St. Albans. As Richard Rothstein, a lecturer at Columbia University's Teachers College, points out, "It's not surprising that schools in low-income neighborhoods filled with disadvantaged kids get similar results whether they're public or private."

To some researchers, however, the real question still remains what effect vouchers have had on schools. And while Peterson's research may not show vouchers bringing about noteworthy improvements in student performance, there

is equally little evidence that they've made things worse. Voucher advocates cite this when arguing for giving vouchers a bigger chance, saying that the real gains of choice programs would only be realized if they reach very large proportions of the student body, which should produce a "competition effect." The theory here is that creating a freer market in education would produce more efficient outcomes: good schools would prosper and bad schools would suffer, creating incentives for improvement.

Skeptics, however, like Stanford University's Martin Carnoy, point out that "when you scale up" by offering vouchers to more students, "you're going to have to bring in new schools, and that's where the problem arises." There's no guarantee that new private schools created to accommodate transferring public-school students would be as good as the ones that already exist. The best information available on this subject comes from Chile and New Zealand, which have both operated large-scale choice systems for more than a decade. In Chile, research by Patrick McEwan indicates the existence of small gains in the capital city of Santiago, which are canceled out by small negative effects in the rest of the country.

New Zealand has no national standardized test, making data collection more difficult, but the country's cultural and political similarities to the United States may make it more relevant. Helen Ladd and Edward B. Fiske attempted to circumvent this problem by measuring impact indirectly through an examination of survey data from teachers and principals in the New Zealand system. Schools where teachers reported that the reforms have succeeded in introducing competition also reported that students were performing worse. The survey of principals yielded similar results, though the effects were statistically insignificant. There is, in other words, no reason to believe that large-scale vouchers could succeed where small-scale programs have failed to improve educational outcomes for children.

The news that vouchers don't help students learn, of course, still leaves the debate far from settled. One thing vouchers do have going for them is that the more options you give parents—even if the options are all objectively bad—the happier those parents wind up being with the choice they've made. All U.S. studies clearly indicate that families that receive vouchers are more satisfied with their schools than those that lost the lottery.

Against this case, liberals argue that privatizing the school system would reduce public accountability, make it harder to maintain reasonable standards, raise the possibility of religious proselytizing with public funds, and balkanize a society that has traditionally relied on public schools to forge a common civic consciousness among a religious and ethnically diverse population. This is a debate worth having, but it should be recognized for what it is at the moment: not a fight over scientific methods but a frankly ideological dispute about the role of public institutions in civic life. The notion that the magic of the market would improve academic achievement turns out, upon examination, to be nothing but a mirage. ■

Aiming High

How new research and model programs are reclaiming the American high school

BY GARANCE FRANKE-RUTA

AFTER LUNCH, STUDENTS AT J.E.B. STUART HIGH SCHOOL in Fairfax County, Va., bound out of a cafeteria where more than half are poor enough to qualify for federally subsidized free or reduced cost lunch, a jumble of English and Spanish and high spirits bouncing off the walls. But as soon as classes are in session, the halls become a model of order, sparkling with new tiled walls thanks to a five-year, bond-funded renovation of the 1959 building. Principal Mel Riddile oversees the 1,431-person student body, made up largely of the low-income, minority, immigrant sons and daughters of wealthy Fairfax County's landscapers, house-cleaners and construction workers. When Riddile took over Stuart six years ago, teachers had two main complaints about the students: They often didn't show up to classes and, when they did, many of them didn't know how to read. Today, Stuart boasts a 93-percent college admissions rate.

With a student body that's a third Hispanic, a third white, 13 percent black, and 24 percent Asian and Middle Eastern, Stuart is one of the more diverse high schools on the East Coast. The faces in the halls display United Nations-like variety, representing dozens of countries, though mostly dressed in jeans and sweaters and loose, hooded sweatshirts. Because of those varying backgrounds, "We can't assume anything," says Marilyn Bart, a reading coach and former English for speakers of other languages (ESOL) teacher at Stuart.

The curricula have been designed to accommodate students at the education level at which they arrive, and to push them forward from there in classes running the gamut from basic ESOL to fifth-grade reading to advanced college prep like International Baccalaureate classes. "Dr. Riddile likes to say we go from K through 12 here," says Bart, and so teachers have to be masters of organization and invention in order to teach vocabulary and the ideas that go with the new words and new language students are learning. Take ninth-grade biology, for example: A lesson about Gregor Mendel, the monastic father of genetics, once required an explanation of what a monk is and—to one Salvadoran boy—what peas are. "Our focus is on the core, because if they don't pass the core, they just become second-class citizens, and we refuse to do that," says Bart. "There's a lot of noise in these kids' lives."

It is the curse of many poor students to go from unpleasantness to chaos to danger in the course of their daily journey to and from school, never setting foot in a quiet, well-ordered, physically decent environment. At Stuart,

every class is outlined beforehand on the board and all homework assignments are displayed where the instruction can't be ignored. Video monitors in each room outline key points for lectures and silently nag—by name and in front of their peers—those who need to take makeup tests. Three computer labs, including a video-production one featuring the latest iMacs, offer students the latest technology while also teaching them to compose a topic sentence.

Students who have problems with absenteeism—because, for example, both their parents work jobs that leave the kids alone to feed themselves before getting to a bus station by 6:05 a.m.—receive wake-up calls from the school. Between 400 and 500 of Stuart's students take mandatory after-school courses to improve their performance, says Riddile; another 40 percent take the college-prep courses. Under an experimental pilot project, students wear a badge that scans them in when they walk through the door. If they ditch school, the badge will beep the next time they try to enter the building, alerting authorities. If students arrive later than 7:20 a.m., legitimate excuse or no, a call goes to their home to alert the parents.

It helps that Stuart, despite its low-income families, is located within a wealthy county system. Its per-pupil outlays are more than \$9,000 per year and its classes are the smallest in Fairfax County. Students who need remedial math and English instruction get it every day, for 90 minutes a day (instead of the usual 45-minute high-school class). "We get what we get and we have to make the kids successful, whether reading on a first-grade level or a post-high-school level," says Bart. At Stuart, that philosophy has worked so well that the school was singled out as one of six "breakthrough high schools" by the National Association of Secondary School Principals for its work with high-poverty, high-minority populations. "If you can do it here," says Riddile, "you can do it anywhere."

IN APRIL 1983, RONALD REAGAN'S NATIONAL COMMISSION on Excellence in Education sent the U.S. Department of Education a report whose findings loudly ricocheted across a jumpy, Cold War-sensitized country. "A Nation at Risk" warned that American education had reached such a deplorable state that the country was "committing an act of unthinking, unilateral educational disarmament," and that "the educational foundations of our society are presently being eroded by a rising tide of mediocrity that threatens our very future as a Nation and as a people."

Twenty years later, the Cold War is a distant memory. But one of the problems identified by the report—the failure rate among high-school students—has not only stubbornly persisted since the early 1980s but actually worsened. Yet, as the 1983 report noted, a number of “notable schools and programs” do exist, though “their very distinction stands out against a vast mass shaped by tensions and pressures that inhibit systematic academic and vocational achievement.”

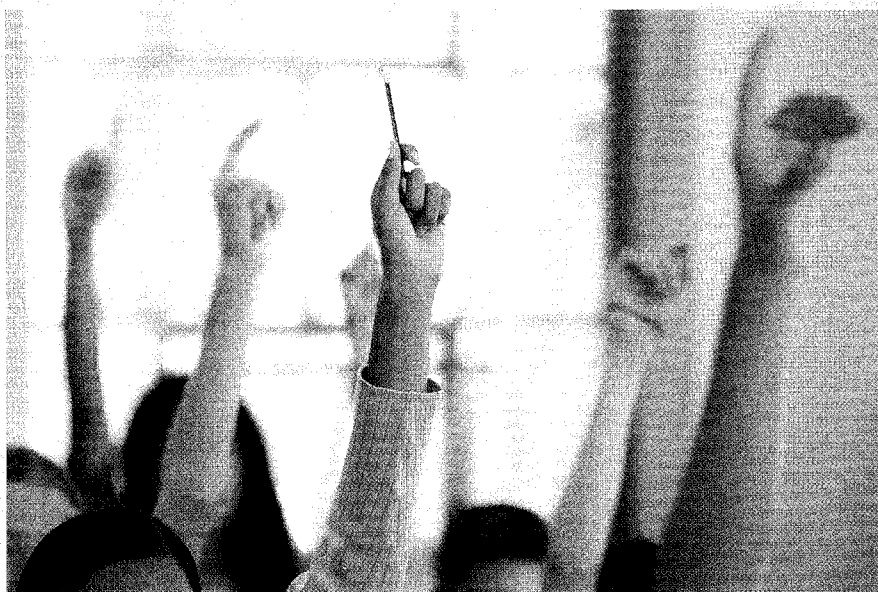
Educational reformers today are looking to lessons from the success stories like Stuart—not public high schools in affluent suburbs, which have always performed reasonably well thanks to generous tax bases and the reinforcement of learning at home, but the occasional high-performing schools in poor communities. There’s a national effort to reproduce models that can work anywhere.

Susan Frost says she’s been thinking again about that report to Reagan, and about the persistent underemphasis on the American high school during the decades of reform efforts that followed in the report’s wake. “It’s really sort of shocking to me,” says Frost, who for six years served as special assistant to Education Secretary Richard Riley and is now president of the Alliance for Excellent Education. “I’ve been in education at the federal level for 20 years and I didn’t realize how much we had neglected older students.”

A case in point is George W. Bush’s own No Child Left Behind (NCLB) Act in 2002, which requires elementary- and middle-school students to meet certain standards or have their schools branded a failure. But high schools are conspicuous by their absence. NCLB has plenty of flaws, but Congress did appropriate \$31 billion under the act for educational programs that reach out primarily to elementary-school students. It has all but ignored high schools, though, which will begin to fall under the purview of NCLB testing requirements in 2005.

In one respect, the emphasis on younger children makes sense: If primary schools don’t do a good job teaching the basics, students will be overwhelmed by the time they reach high school. Yet high school is where as many as half of all students are lost. And schools like Stuart demonstrate that relatively modest investments in proven strategies at the high-school level can also make a dramatic difference. Even U.S. Education Secretary Rod Paige has recently begun to talk about the high-school problem, calling it “an unrecognized educational crisis in this country” in an October 2003 speech.

LAST SEPTEMBER, JAY GREENE AND GREG FORSTER OF the Manhattan Institute—in a study funded by the Bill and Melinda Gates Foundation—blew the lid off the national statistics on high-school dropouts. The states had a habit of losing track of dropouts and not counting them in their graduation statistics. Revised statistics on Houston dropout rates, for example, have turned Paige from a hero into a purveyor of dubious arithmetic. High-school dropout rates nationwide had been calculated using a variety of criteria, depending on the state. Many states derived high-school graduation rates by comparing those who entered the 12th grade with those who graduated. Greene tried a different, more plausible approach. He looked at the number of high-school seniors and compared it with the number of eighth-



ninth- and tenth-graders in preceding years, then controlled for some factors known to distort the numbers.

The results were striking. All told, according to Greene’s data, only 70 percent of high-school students nationwide were graduating. Rather than the rough racial equality in high-school completion rates shown by the Department of Education, Greene found only about half of black and Hispanic students leave American high schools with a diploma. In Bush’s Texas, a state that had been claiming a 95 percent annual graduation rate, Greene found that the actual numbers were closer to a 67 percent graduation rate for the class of 2001. The state with the lowest high-school graduation rate was also Bush country: In Florida, where Jeb Bush is governor, only 56 percent of students earned diplomas.

State and federal statistics on high-school completion also lumped together students who earned a regular four-year diploma with those who got a General Equivalency Diploma (GED). Greene also excluded GED recipients from his high-school graduation statistics on account of the extensive evidence that, over the course of their lifetimes,

GED recipients look more like high-school dropouts than like regular high-school graduates. For example, nearly three-quarters of GED recipients who go to community colleges don't earn a degree, compared with 44 percent of regular high-school students, leading Greene to conclude that "GED recipients tend not to do much better than high-school dropouts."

"People would say we can't count dropouts, and so we undercounted them," says Frost. "As a result, we had a national dropout rate that looked something like 10 percent and an inner-city rate that didn't look so different. Then along comes Jay Greene and says, 'Why don't we count graduates instead of dropouts?'... And lo and behold, we were looking at a 30-percent dropout rate and a 50-percent rate in the inner cities. One of the things we have been trying to do is name the crisis, and the crisis is, 'We are losing half of our kids.'"

AS AWARENESS OF THE PROBLEM'S EXTENT HAS GROWN over the past decade, so, too, have the proposals and pilot projects designed to transform the American high school.

Research conducted jointly by Johns Hopkins and Howard universities has shown that some relatively straightforward, though tough to implement, reforms can make a difference in encouraging kids to stay in school. For example, the Talent Development Model, created by Velma La Point and A. Wade Boykin at Howard University's Center for Research on the Education of Students Placed at Risk and James McPartland at Hopkins, is now in use by about 50 schools nationwide. This may sound like a tiny number; however, researchers also estimate that repairing just 300 to 500 of the worst high schools, which often have thousands of students each, would have a substantial impact on the dropout problem overall.

Launched at Baltimore's Patterson High School in 1994, the first Talent Development Model school was created through Department of Education funding. "We assume that all children can learn to high standards when given the proper curriculum and educational supports," says La Point. "That has not been the expectation for children in high poverty communities and schools in communities that are poor and typically of color."

The model has six basic parts, many of which show up in other schools that are not formally part of the Talent Development Model, such as Stuart. They include:

Small Communities of Learning. Small schools help at a number of levels. One key benefit is that they can save ninth-graders from early failure. Because some failing high schools enroll as many as several thousand students, many of whom have been held back and are virtually adults, ninth-graders can feel lost and threatened when they make the transition from small middle schools to the impersonal world of high school. In most

cases it is not possible to build small schools from scratch. But the Talent Development Model and similar strategies can divide large ninth-grade classes into smaller "success academies" of 100 to 150 students each. Each group is assigned its own teachers, creating schools within schools. The ninth-grade academies have been so successful that some schools are now adding 10th-grade academies as well, to stem dropout rates between 10th and 11th grades. The Gates Foundation has also made small schools the centerpiece of its strategy to transform public education.

Double-Dose Courses in Math and English. Because so many students enter high schools inadequately prepared, offering them 90-minute classes in core subjects such as algebra and reading can allow them to study a year's worth of material in six months and then move on to normal coursework.

Professional Development for Teachers. Schools that serve poor students often offer low pay and arduous conditions. Not surprisingly, they tend not to attract the best teachers. Teacher-mentoring programs, sharing in the development of lesson plans, and other strategies to invite and reward good teaching are usually part of failing schools that become success stories.

Parental Support Networks. Middle-class kids spontaneously get reinforcement at home. Poor families are more likely to be stressed economically, and parents tend to have lower levels of education. Successful schools reach out to involve parents.

More Flexible School Days. In poor communities, high-school students may need to work part time, or they may have family responsibilities like caring for younger children (or even have children of their own). Other students with disciplinary problems may need instruction without the distractions of the regular school day. Under the Talent Development Model, "twilight schools" allow those with difficult schedules to earn regular diplomas without spending a standard day in school.

Career Academies. A number of cities have long had "exam schools," such as New York's Bronx High School of Science or Boston's renowned Latin School. These schools have offered oases of academic excellence for outstanding students in big-city school systems whose typical high school was mediocre or worse. Now, reformers have found that schools with a thematic focus, such as computer science or performing arts, can provide discipline and purpose to students who are not academic standouts. Such schools also help break up giant high schools into units with a more human scale, not unlike colleges within a university setting.

There are plenty of models that work, even in the most challenging communities. With adequate resources and determination, high schools anywhere in America can learn from these successes—and really leave no child behind. ■

**Repairing 300 to 500
of the country's worst
high schools would
have a huge impact
on dropout rates.**

Currents

NOSTRA CULPA



We See That Now

A heartfelt—no—abject—no—craven apology to the right from the left for our campaign of hate, anger and malice against God's own president.

BY TONY HENDRA

WE CONFESS. IT'S ALL TRUE. EVERYTHING you say. We trafficked in hate. We did it in anger. Just as you said, Mr. Kristol, Mr. Krauthammer, Mr. Brooks: We poisoned the airwaves and befouled the sheets of our nation's most august publications. We attacked a sitting president, impugned his integrity, smeared his family, invaded his privacy, tried desperately to drag him down to our own filthy, rock-bottom, sewer-dwelling level.

There is no parallel between your measured criticism of Bill Clinton and our vile attacks on George W. Bush. Bill Clinton deserved everything thrown at

him because a corrupt and evil man who gains the White House by underhanded means *should* be attacked with every weapon at the disposal of a free press. And yes, it's true, just as your more sagacious radio hosts have maintained: Hillary Clinton *does* owe her success to the practice of witchcraft. And no, it's not true that ridiculing Chelsea at the most vulnerable stage in her development was the media equivalent of child molestation. Chelsea Clinton was fair game because she is the spawn of Satan. Scurrilous of us to suggest that the tirelessly moderate and civil proponent of these and so many other truths, Robert

Bartley, now resides in the circle of hell reserved for hate-mongers and bigots! Mr. Bartley dwells in the bosom of his Republican creator. We see that now.

George W. Bush cannot be, as we've screamed till we're blue in the face, the cretinous finger puppet of an incalculably cynical and malevolent cabal *and* a ruthless neo-Confederate, bent on creating a plutocratic ruling class at home and a rapacious corporate imperium abroad. He's one or the other. We cannot have it both ways. We see that now.

Similarly, we can hardly denigrate Rupert Murdoch and his "gutter press" while at the same time carping that without him the right would be a marginalized mob of obscurantist paranoids kept on life support by retrograde trust-fund nut jobs. Mr. Murdoch is a great populist. Lowest-common-denominator programming is an honorable tradition in both the United States and the United Kingdom. Taking such programming to China, where he is equally solicitous of a proto superpower whose interests are frequently inimical to ours, does not mean that Mr. Murdoch is giving aid and comfort to the enemy, or that NewsCorp's money is somehow "tainted." It's despicable of us to suggest that all those hardworking journalists—from Bill O'Reilly to William Kristol—who take his supposedly dirty money are likewise tainted! We see that now.

What demon put into our so-called minds the idea that the ghastly tragedy of that bright morning in September 2001 might have been prevented because the Bush administration had received warnings for a month that some sort of attack might be coming? And that the president and his advisers had ignored that intelligence and then made use of the tragedy to seize the draconian emergency powers they

craved and get the economy back onto a perpetual-war footing? How could we even entertain such thoughts? What venom flowed through our hate-infarcted hearts?

We're sorry for our endless ranting about oil being the lifeblood of the Bush family circle, and The Carlyle Group existing as nothing more than a gigantic corporate kickback to its members for faithful service while in office, and the Bush team comprising the selfsame men who supported Saddam Hussein to the hilt while he was committing most of his genocidal atrocities and therefore making them his guilty accomplices. These are vicious, hateful untruths. We see that now.

The First Amendment does not give us the right to screech that young Americans are dying in Iraq so that George W. Bush can get himself legitimately elected president. It's a bald-faced lie that his bald-faced lies about weapons of mass destruction cost them their lives. Our brave men and women in uniform know when they enlist that there is always the chance they may have to pay the ultimate sacrifice. Their motives are never—as we so squalidly claimed in the wake of the Jessica Lynch affair—to get a higher education because the military is now the sole conduit to it for the two-thirds of Americans who can't afford it. What a despicably mercenary motive to impute to our heroes! And in any case, why *isn't* the re-election of an epochal president a lofty patriotic aim, worth the sacrifice—as our great defense secretary has implied—of a few lives? Why would this aim fill us with rage and hate, instead of quiet pride?

We were wrong to call George W. Bush's huge tax cuts legalized looting, wrong about the replacement of a \$5 trillion surplus with a \$3 trillion deficit. No, that is *not* \$8 trillion down the drain in three short years. We arrived at that ridiculous conclusion by juggling the figures. If you're as egregiously partisan as we, you can make figures prove anything. We see that now.

We apologize from the bottom of our hearts for our unfounded suspicions about the plane crash that killed Minnesota Sen. Paul Wellstone and his family. Only a wild-eyed conspiracy nut

would link it to the crash that had killed Missouri Gov. Mel Carnahan. Nostra culpa! Grief unhinged our better judgment. Hey, Democrats die in planes around election time. That's life. We better get used to it.

What drives us to ask—so shrilly, so annoyingly—why Ken Lay *still* isn't in prison? Are we really *certain* that he deprived hundreds of thousands of people of their savings? That he helped hatch a plot to bring down the Democrats in California by destabilizing that state's power supply? So what if that's now happened? Has Mr. Lay done *anything* that is technically wrong?

Realizing now the awesome power of prayer, we'll stop praying every moment of every day that Tom DeLay gets snatched up in the rapture. We realize, too, that the sign in his office—"This Could Be The Day" (i.e., Judgment Day)—does not utterly disqualify Mr. DeLay from assessing the best long-term interests of the nation. We believe, with him, that the poor *are* entirely to blame for their own poverty, and that if—sorry, *when*—our savior returns, he will indeed own a concealed-carry permit. We know now that Mr. DeLay is not precisely the kind of religious lunatic the Founders had in mind when separating church and state; that he and his co-religionists are in no way brutish, heathen, hate-driven humbugs whose fundamentalism makes Osama bin Laden look like the archbishop of Canterbury. We hope and pray that Mr. DeLay will guide the destiny of America till the trump of doom. Even if it is next Tuesday.

Looking back on the decade-plus of our boundless ill will and partisan fury, we've come to understand something absolutely vital about that glorious year 1989, the year you won the Cold War: The reason the Cold War *had* to be won was that it made the world a *two-party system*. One of them had to go. It's the same in our great nation. What's the point of having two (or even one and a half) parties when it leads to nothing but unending conflict, frustration, stagnation and despair? For America to bring the message to the world that ours is the best and only way, we must have *unanimity*. One party indivisible under God.

YET EVER SINCE 1989, WE'VE BEEN fighting a new Cold War—in Congress, in the culture, in the media, in the nation's schools and courts and bedrooms.

It's time for us to ... *surrender*. We're tearing down the Berlin Wall of rage and malice we've erected between you and us. We do this before it is too late, before you reach the point where you will be forced—however reluctantly—to investigate us, confiscate our property, search our houses, seize our personal records, detain us sine die, suspend habeas corpus, take reprisals against our loved ones, hold show trials, send us to re-education camps—whatever you in your impeccable judgment deem necessary to preserve the homeland from, well, the likes of us.

But—a huge "but," we know—if in your great hearts you can find the room to forgive us, if even the meanest of positions can be found for us in the new dispensation, let us serve you. We'll do anything you want, no matter how menial: deleting hard drives, wiretapping journalists, delivering bags of cash to senators, transporting assets to the Caymans, firing pregnant Mexicans, evicting the disabled, laying bets for virtuous windbags, beating up young gay men, escorting Muslims to the border, performing sexual favors for The Heritage Foundation—whatever you need we'll do it, and for free.

Some of us even have advanced skills to put at your disposal. We could help discredit Europe's socialistic health and welfare systems and nonprofit public utilities so The Carlyle Group can privatize them. We could produce inspiring movies about the great Americans who are ushering in the thousand years of prosperity that are just around the corner. We could create upbeat news stories for the Ministry of Truth you plan for George W. Bush's second term.

We come to you not just as sinners but as supplicants, begging not just forgiveness but *inclusion*. There's a reason God named the right the right: Because it's *right*. You have a monopoly on the truth, and you always have and you always will.

We see that now. We really do. ■

TONY HENDRA is an author and an actor. His next book, *Father Joe: The Man Who Saved My Soul*, will be published by Random House in April.

BOOKS

Robert Rubin's Contested Legacy

IN AN UNCERTAIN WORLD: TOUGH CHOICES FROM WALL STREET TO WASHINGTON

BY ROBERT RUBIN AND JACOB WEISBERG • RANDOM HOUSE • 448 PAGES • \$35.00

The High Cost of Rubinomics

BY JEFF FAUX

IF A DEMOCRATIC PRESIDENT GETS TO replace Federal Reserve Chairman Alan Greenspan when the latter's term is up in 2006, Bob Rubin is the odds-on favorite. He has the financial credentials: Goldman-Sachs, U.S. Treasury, Citi-Group. He raises money for Democrats. And he is credited with the one accomplishment of the Clinton era that all Democrats are proud of: eight years of peacetime economic growth that, by 2000, had produced something pretty close to full employment.

As Rubin tells the story in his new memoirs, he persuaded Clinton early on to make financial-market "confidence"

the administration's chief economic priority. Key to the strategy was Greenspan, who was supposedly concerned that spiraling federal deficits would ignite inflation, forcing him to raise interest rates and thus choke off growth. Cut the deficit, argued Rubin, and Greenspan will let the economy live.

Clinton was an easy sell. He not only reduced the deficit but also went on to balance the budget, run a surplus and, by the end of his term, put the federal government on a path toward eliminating the entire national debt. Along the way, he embraced large parts of Wall Street's agenda: free trade, privatiza-

tion and the deregulation of finance, energy and telecommunications. In turn, Greenspan kept rates low.

So Rubin's plan worked, but the cost was high. Hopes that the peace dividend from the end of the Cold War would finance major new programs in health care, education and other areas of public need were dashed. Social investments as a share of the country's national income actually declined over the Clinton years. Fights over free trade split the party and contributed to the loss of the House of Representatives, from which Democrats have still not recovered. And deregulation led to an orgy of irresponsible speculation and fraud that eventually left workers without pensions, small-scale shareholders with worthless paper and California—

Rubin's Remarkable Achievement

BY BRADFORD DELONG

IN 1992 THE INCOMING CLINTON administration had, broadly speaking, two strategic options for domestic policy. The first was a double-or-nothing "social democracy" strategy. Federal spending at the time was running at 22 percent of gross domestic product, hardly changed from 1980. Contrary to conservative mythology, the Reagan revolution hadn't shrunk the government, but it had changed its shape: As a share of federal spending, domestic expenditures outside of the entitlement programs were down by one-third, while debt interest and military spending were up. Forecasts showed deficits continuing—indeed, rising—as far as the eye could see. If policy had stayed unchanged, the federal debt—which had already risen from 26 percent of GDP

in 1980 to 48 percent in 1992—would have continued climbing to 72 percent in 2000.

Bill Clinton could have said: Let the deficit problem be the responsibility of some future Republican administration. We'll pursue Democratic priorities while keeping the deficit constant, or maybe even allowing it to grow a bit in relation to the economy. Spend more to give every American good medical care (instead of using health-care reform for cost containment). Raise public investment in roads, bridges and other crumbling infrastructure. Expand social insurance to provide better benefits and retraining for workers who lose their jobs. Provide incentives—such as a carbon tax—for industry to rest lightly on the environment.

Some liberals will not forgive Clinton for failing to pursue this approach, but it was politically infeasible. In Congress, the Democrats had an organizational but not an ideological majority. Many centrist Democrats would not support a social-democratic program, as was evident in the spring of 1993, when Clinton's short-term economic stimulus program (which included money for infrastructure) went down to defeat.

The double-or-nothing strategy also carried serious economic risks. The long-term growth trend had slowed markedly in the late 1970s and stayed low throughout the 1980s. (Only by the most egregious data manipulation have conservative ideologues claimed to find "seven fat years" in the 1980s.) Governments that run large and persistent deficits find that their appetite for cash diverts spending that would otherwise flow into productive investment, and



The Explainer: Robert Rubin (left) with Bill Clinton and Alan Greenspan in 1998

among other places—without the money to pay for basic services.

While the party lasted, Rubin and Greenspan were the toasts of Wall Street. They watched benignly (with an

occasional “tut-tut” from the chairman) as mindless speculation overheated the stock market way beyond the boiling point of 1929. According to Greenspan, inflation was no longer a problem be-

that investors get nervous and capital starts to flee the country. Low investment means stagnant productivity and wages, not just in a recession but over the entire business cycle. Would it have been good for the country if Clinton’s inauguration had been followed by year after year of slow growth? And what would have been the chances of passing any Democratic legislative priorities if the macroeconomic news was never very good?

Faced with those considerations, Clinton rejected the social-democracy strategy in favor of the second possibility—call it the “Eisenhower Republican” strategy. Make economic growth the first priority. Attempt to get the Federal Reserve to be dovish on interest rates in exchange for seriously reducing the deficit. Take other steps such as trade liberalization to try to boost growth. Reform rather than expand social insurance so that you can argue that taxpayers are getting good value for what they are buying. Hope

that these policies will boost investment. And make the Clinton legacy a high-investment, high-productivity growth expansion. If all goes well, a decade of rapid growth and a resolution of the deficit will open up new

**Some liberals were
unhappy about it, but
Rubin brilliantly executed
the only feasible progressive
strategy open to Clinton.**

possibilities for progressive policy.

This was the strategy that Bob Rubin executed, first as head of the National Economic Council and then as treasury secretary under Clinton. Rubin’s new memoir shows why he was able to do such a superb job, close to the very best job that could be done.

cause the end of the era of coddling by big government had made workers more anxious about their jobs and less apt to demand higher wages. At the same time, he and Rubin kept anxiety from discomforting the markets by rolling out the safety net for financiers who bet wrong on Mexican bonds and the Long-Term Capital Management hedge fund. Indeed, Rubin spent much of his term as treasury secretary shuttling from crisis to crisis, organizing, often brilliantly, rescue packages for capital-market failures around the world.

He missed some. Russia defaulted despite his best efforts. And neither he nor Greenspan faced the rising U.S. trade deficit that, by the end of his watch, made our high consumption economy perilously dependent on foreign lenders.

Still, more than 20 million jobs were created. At the end of the decade, people who 10 years earlier had been written off as “unemployable” were working, and, for a few quarters before the crash, employers were actually bidding up the wages of people making \$7 an hour.

Even the title page gives a clue. How often in a political book does the person who crafts the prose (in this case, Jacob Weisberg) get his or her name on the cover as a full co-author? Rubin listens to the people who work for him, and he is not shy about giving them credit. As an economist at the U.S. Treasury from 1993 to 1995, I had a chance to see him at work, and his people-management skills are remarkable. I have never seen anyone else able to guide a meeting to the consensus he wanted by occasionally raising his eyebrows and saying little other than, “That’s very interesting, very important. Now I think we should hear what X has to say.”

Rubin himself emphasizes his habit of “probabilistic thinking,” always asking such questions as, “What else might happen?” and, “What if we’re wrong?”; looking at the full range of possible outcomes rather than the most likely or the most comfortable; and recognizing that just because

So, honest liberals might have different answers to the question, was the "trade off" worth it? But there is a prior question: Was it *necessary*?

Some deficit reduction was reasonable. After all, a fiscal deficit that was rising faster than income is ultimately unsustainable. But the Clinton-Rubin buy-in to a 19th-century Republican economic agenda was clearly over the top. As Clinton economists Joseph Stiglitz, Alan Blinder and Janet Yellen, among others, have pointed out, the sustained growth of the past decade was largely generated by a perfect storm of favorable factors, including the spread of Internet technology, low energy prices and a temporary slowdown in health-care costs.

The clearest answer came from Alan Greenspan himself. A few days after the election of George W. Bush, Greenspan endorsed Bush's massive tax cut, which not only wiped out the surplus the Democrats had so painfully built up but quickly put the government back in the red. It turns out that the ideologically conservative Greenspan had used the deficit scare as a way

to stop Clinton from social spending. When the Republicans came back, Greenspan was happy to support what has now become the GOP tradition of cutting taxes for the rich, no matter what the fiscal consequences.

Some would argue that Rubin and Clinton had no other leverage to keep

The sustained growth of the past decade was largely generated by a perfect storm of favorable factors, not by deficit reduction.

Greenspan from killing the recovery. But they clearly had more wiggle room. Wall Street's worry was that the deficit was out of control. The Clinton administration could have mollified financiers' fears by cutting the deficit to something like 2 percent of gross domestic product. That would have freed up additional revenue for desperately

needed public investment, and Greenspan would have been on weak ground to throttle non-inflationary economic growth. Moreover, Clinton had control over the one thing that Greenspan desperately wanted: reappointment. Had the president been willing to discipline the chairman with some of the job anxiety that kept America's workers in line during the 1990s, a few dollars of that now tragically lost surplus might have been invested in things such as schools, hospitals and clean air.

Compared with what we have now, of course, we'd be happy to have Rubin back. And if the country lucks out next November, he—and we—may get another chance. So I'd be a lot more comfortable if his book had at least acknowledged that he helped Greenspan take us to the cleaners. The next Democratic administration should not be condemned to repeat the mistakes of the last one. ■

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things came out well in one case, you didn't necessarily make a good decision, or that just because things turned out badly, you didn't necessarily make a bad one.

These qualities made Rubin an ideal first lieutenant in economic policy, but another critical factor in his success was the president himself. Clinton took policy seriously and was usually willing to be convinced that what was good policy would turn out to be good politics (or, at least, that this was a reasonable bet).

Where, if anywhere, did Rubin go wrong? He certainly placed a lot more trust in markets than in laws and in regulatory agencies as devices for monitoring and disciplining corporations—especially financial corporations. Hence his support for the repeal of the Glass-Steagall Act (which limited mergers in the financial industry) and his distrust of regulations that restricted financial corporations. You can argue (and, on odd-numbered

days, I do) that this orientation left him blind to the problems of large-scale corporate fraud that later surfaced in Enron, WorldCom and Adelphia and (although here I was blinder) to the gathering international financial storms that hit Mexico, East Asia and Brazil.

But on even-numbered days I think that when international financial crises did erupt, Rubin's reactions were swift, powerful and well thought-out. Modern finance provides ample evidence of government failure as well as market failure, and no one knows for sure the appropriate point of balance.

But there is a bigger question. The Clinton-Rubin economic policies certainly contributed substantially to the economic boom of the 1990s, though economists will debate whether they deserve 20 percent, 40 percent or 60 percent of the credit. In the end, however, the resolution of the deficit did not widen the politically realizable pos-

sibilities—at least not in the way we hoped. Rubin's success helped George W. Bush to return us to the budgetary ground zero of 1992 through enormous tax cuts for the \$200,000-plus-a-year crowd, higher military spending, and pork for Republican legislators and favored companies such as Dick Cheney's Halliburton.

Might the social-democracy laissez-faire deficit strategy have been better for the country after all? Of course, neither Clinton nor Rubin could have foreseen the outcome of the 2000 election. And if they had bequeathed deficits rather than surpluses, would the current crew in power have been any less inclined to the reckless fiscal policies it is now pursuing? It's George W. Bush who has gone for a double-or-nothing strategy, and the country will someday pay the price. ■

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Our Mongrel Planet

CREATIVE DESTRUCTION: HOW GLOBALIZATION IS CHANGING THE WORLD'S CULTURES BY TYLER COWEN • PRINCETON UNIVERSITY PRESS • 179 PAGES • \$27.95

BY DRAKE BENNETT

IN A SHORT STORY BY THE LATE WILLIAM Maxwell, an American named John Reynolds takes his family to Le Mont-Saint-Michel 18 years after his magical first visit. Their hotel is bland, the food mediocre and they are swept along in thick throngs of harried tourists. Worst of all, the walled gardens that Reynolds remembers as visions "from a fifteenth-century Book of Hours" have been plowed under so that the souvenir shops can expand. Disconsolate, Reynolds thinks to himself:

Once in a while, some small detail represented an improvement on the past, and you could not be happy in the intellectual climate of any time but your own. But in general, so far as the way people lived, it was one loss after another, something hideous replacing something beautiful, the decay of manners, the lapse of pleasant customs, as by a blind increase in numbers the human race went about making the earth more and more unfit to live on.

Maxwell, it sometimes seems, is one of the few writers Tyler Cowen does not mention in his gluttonously omnivorous works on culture and commerce. But there is no better encapsulation of what Cowen calls the "cultural pessimist" than Maxwell's John Reynolds, who, at least, has illustrious company: Plato, Augustine, Rousseau, Pope, Swift, Hazlitt, Tocqueville, Schopenhauer, Tolstoy, Nietzsche, T.S. Eliot, Theodor Adorno, Bloom (Allan and Harold) and Catherine MacKinnon all qualify, in Cowen's estimation, as gloom-and-doomers. Cowen, on the other hand, is a cultural optimist, and of the sort that one can only be if one grew up, as Cowen did, with a father who ran the local chamber of commerce.

Cowen has made his name as a professional booster for the benefits that the market brings to the arts. An econ-

omist at George Mason University and a libertarian, he first staked out his position in 1998 with *In Praise of Commercial Culture*, arguing that much of our artistic heritage, both high and low, is due to the invisible hand—whether that meant the wealth of Florence or the greed of Beethoven. Cowen maintains that, far from reducing everything to bland mass-culture pap, the market ensures a diverse menu of artistic goods. Book superstores, the enemy of literary declensionists, carry a much wider variety than the corner shops they supplant, and best-sellers account for only 3 percent of their sales. Nor, he argues, does today's diversity necessarily crowd out older art forms. "[F]rom 1965 to 1990," he writes, "America grew from having 58 symphony orchestras to having nearly 300, from 27 opera companies to more than 150, and from 22 non-profit regional theaters to 500."

Cowen's latest book, *Creative Destruction*, continues in the same vein. In it, he counters those—from the American political scientist Benjamin Barber to the French farmer-activist José Bové—who charge globalization with smothering the world's diversity of cultures under a blanket of kitsch, sensationalism and cheeseburgers. But his tone has changed a bit in the intervening years. The neutrality of the new work's title (borrowed from the economist Joseph Schumpeter) is intentional: Cowen has not only narrowed his focus; he has also reined in his inner Pangloss and, despite the occasional elision and the seeming philistinism of his arguments, makes his case about as well as one can. Globalization, it is clear, is not going to destroy the world's cultures. The question remains, though, whether that is what we should be worried about in the first place.

Cowen's argument is twofold. First

of all, the national cultures ostensibly threatened by globalization are themselves hybrids, created by interactions both ancient and modern. Cowen delights in showing the braided influences behind so-called indigenous art forms. Caucasian carpets drew on Persian and Chinese designs (and later Moscow chintz), and, in turn, influenced Sioux beadwork. Navajo weaving mimicked Spanish patterns, which themselves carried the mark of Moorish decorative art.

When Paul Simon incorporated South African *mbaqanga* music into his *Graceland* album, critics accused him of cultural imperialism, but *mbaqanga* was itself largely an amalgam of Western spirituals, jazz, rock 'n' roll and even minstrel music—so much so that many South Africans scorned *mbaqanga* as derivative. As Cowen writes, Simon was drawn to it "precisely because it shared so many sources with his own synthesis of the Western pop tradition."

Cowen's second argument flows from his first: If cultural exchange helped create the diversity of cultures we have today, it can't be simply a homogenizing force. Although globalization tends to decrease diversity between cultures, it increases diversity within cultures. It is now possible to get foie gras in the United States and le Big Mac in France. In that sense, the two countries are more similar and the world is more uniform. But each society now offers a more diverse set of choices, a diversity that both countries' inhabitants can more easily take advantage of. This dialectic shapes Cowen's portrait of globalization: A global culture is created, piece by piece, but it grows more variegated and complex along the way. And, even as geographically based identities blur and fade, new subcultures, based on shared tastes in music or literature or obscure hobbies, grow up.

One reviewer to take issue with Cowen's rosy view of globalization was, unsurprisingly, Benjamin Barber. Economists such as Cowen, Barber wrote, "treat exchange within the mythic frame of perfect market freedom, where it is the result of two equally free, equally voluntary, equally powerful contractees who sit down as gentlemen and make a deal." That is not, Barber argued, how

things actually happen. "Once the relative power of the intersecting cultures is factored in," he writes, "... the happy reciprocity of cultural hybridization is trumped by the unhappy preeminence of the dominant culture."

But, as Cowen sees it, dominance is no simple thing. Global culture remains a stubbornly mongrel creation. For all its success with its movies, the United States has been unable to do nearly as well exporting its TV programs. And despite the best efforts of McDonald's, the most popular fast food in England remains curry. Even where American chains thrive, indigenous cuisine doesn't simply die away: Paris and Hong Kong, two gastronomic meccas, boast the world's busiest Pizza Huts. Cowen might also have mentioned Coca-Cola's recent struggles to adapt in an increasingly diversified and discriminating world beverage market, or Euro Disney, which was a flop until it introduced rides based on French movies and started serving wine.

Of course, there is always a loss with such exchanges, and Cowen admits as

much. Certain things will get plowed under for the souvenir shops and megaplexes, and though Cowen is certain that what replaces them will be just as beautiful and multifarious, this loss dents even his indefatigable optimism. Perhaps a little provincialism, he concedes, is a healthy thing.

Which brings us to the question of whether this is the right debate to be having in the first place. To argue over culture with Cowen is to debate the look and feel of globalization instead of its substance. It is also highly irresponsible because the true weaknesses of Cowen's laissez-faire libertarianism become clear only beyond the realms of crafts and cuisine. After all, cultures, unlike people, don't suffer; they only change. Culture is simply human beings reacting to and making sense of the world around them. It is literally an inexhaustible resource. In that, it is perfectly—and uniquely—suited to Cowen's worldview.

Someone more concerned about human welfare than about culture might have a different view of the global market. To speak of global

trade's impact on health and well-being is much more complicated and ambiguous, and it might tax even Cowen's powers of blithe rationalization. Above all, it would put questions of cultural gains and losses in perspective. Perhaps the best example of the disparate stakes is provided by Cowen himself in his first book, where he writes that the African slave trade "revolutionized world music. ... Most contemporary popular musical forms—blues, rhythm and blues, rock and roll, soul, jazz, swing, bebop, boogie, ragtime, calypso, samba, forro, son, ska, reggae, salsa, meringue, plena, and rap—were created by Africans in the New World or were derived from African influence." A diversity of styles, to be sure, but hardly a fair exchange. The artistic creativity of slaves and former slaves can never justify or compensate for their loss of freedom. Even a libertarian would acknowledge that. ■

DRAKE BENNETT is a freelance writer living in Cambridge, Mass., and a former Prospect writing fellow.

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It's Jobs, Stupid

BY ROBERT B. REICH

It's the most anemic jobs recovery on record. Productivity is soaring, but that's mainly because fewer workers are doing more. At least 150,000 new jobs have to be created each month just to keep up with population growth. We haven't come close.

In December, the private sector produced a paltry 1,000.

Not to be ghoulish about it, but this could be good news for Democrats seeking to regain the White House and stem the Republican tide in Congress. There can't be a genuine recovery until jobs come back, they aren't likely to roar back within the next nine months and George W. Bush will have a hard time convincing voters that he's a good steward of the economy unless Americans feel that the recovery is on solid footing.

But to be credible, Democrats have to come up with their own plan for how to spur job growth. And that plan has to respond directly to the structural changes in the economy that account for this unprecedented dearth of new jobs. Before I get to the plan, you need to understand those changes.

"Jobless" recoveries aren't supposed to go on this long. It used to be that businesses started hiring again when demand picked up. No longer. Technology and globalization have given companies two easy ways of temporizing. They can substitute off-the-shelf software (automated scanners at the supermarket, for example, or e-ticket kiosks at the airport). Or they can outsource to low-wage workers abroad (back-office service workers in India or manufacturing workers in China).

Eventually demand will pick up enough to restore job growth. There's still a limit to what software can do and how much work can efficiently be outsourced. But in the meantime, millions remain unemployed, are too discouraged to look for work, have to settle for jobs paying far less than the ones they lost or are forced to become self-employed "consultants" (glorified temps, essentially). Worse yet, the "meantime" could drag on for years. With so many people facing such uncertainties, consumer demand may well stall.

Bush's two major job initiatives are to gut the overtime laws and seek to allow more guest workers into the country. Both will only make the bad situation worse. The requirement to pay time and a half for overtime gives employers an incentive to hire more workers; eliminate overtime pay and that incentive is lost. Meanwhile, open-

ing America's borders and otherwise legalizing guest workers will reduce the demand for Americans to fill those jobs. The administration's claim that the program would be limited to jobs that "no Americans can be found to fill" is ludicrous on its face. The only reason a job remains unfilled is that it pays too little. An employer who has to fill it with an American will have to raise the wage.

Here's what Democrats should propose instead:

First, level the playing field between technology and labor. As it is now, businesses get an investment tax credit for buying technology that substitutes for labor. One option is to repeal the tax credit, but that would be politically difficult. Another is to give businesses a "new jobs tax credit" (say, 10 percent of the costs) for all net additions to payrolls. Make it for two years, or until the proportion of employed adults returns to its pre-recession level.

Second, recognize the high social costs of outsourcing. Businesses should still be allowed to outsource—even a temporary ban on the practice would be a nightmare to enforce, would probably violate international trade rules and would drive up consumer prices. But there's no reason businesses should be able to deduct from their taxable incomes the full costs of outsourcing. Limit the deduction to, say, 50 percent. However, if businesses hire American workers, allow them temporarily to deduct the full costs of their payrolls until jobs are restored.

Third, buffer workers against income losses. With so many having a hard time finding work, unemployment insurance should be extended. In addition, many workers have to settle for jobs that pay less than their former wages. They need wage insurance—paying, say, half the difference between the old and new wages, for up to two years.

Democrats need not be neo-Luddites or protectionists to respond to the worst jobs recovery in American history. They can offer these three constructive steps to get jobs back faster and to alleviate the pain in the meantime.

The Bushies have it all wrong. It's time for the Democrats to say so, to say why and to offer what's needed. ■

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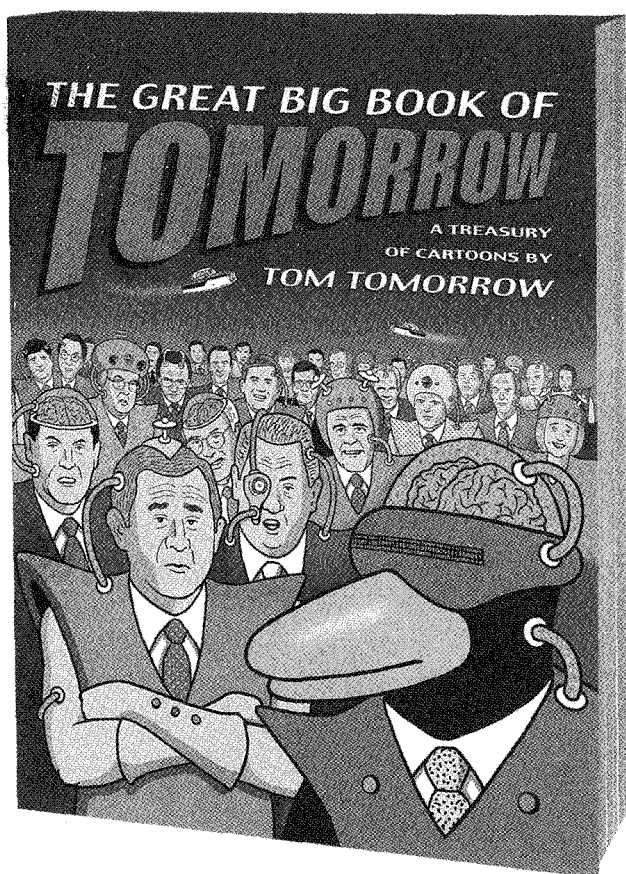
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